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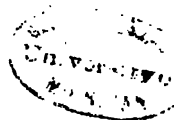
THE
ANNUAL REGISTER,
OR A VIEW OF THE
HISTORY,
POLITICS,
AND
LITERATURE,
For the YEAR 1779.



L O N D O N:
Printed for J. DODSLEY, in Pall-Mall, 1780.

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P R E F A C E.

THE Year of which we treat, presented the most awful appearance of public affairs, which this country had perhaps beheld for many ages. All ancient systems of policy, relative to any scheme of equality or balance of power, seemed forgotten in Europe. Friends and allies were no more with respect to us. On the contrary, whether it proceeded from our fault, or whether it was merely our misfortune, mankind seemed to wait, with an aspect which at best bespoke indifference, for the event of that ruin which was expected to burst upon us.

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vi P R E F A C E.

It has happened fortunately, that the expected evil and danger, were less dreadful in the encounter, than in the distant appearance. The great combination of the House of Bourbon with the American Colonies, was far from producing all those effects which were undoubtedly expected. If our own successes were not great, and rather negative than direct in their nature, our losses, however considerable, were still less than might have been apprehended. It affords no small room both for satisfaction and hope, that no diminution of national glory has taken place, through any failure of native valour in our Seamen and Soldiers. They have supported in all cases, and under whatever circumstances of disadvantage, their antient character.

With the importance and variety of the work, our labour has increased ; and
3 every

P R E F A C E. vii

every year of this period, so full of trouble both abroad and at home, has produced so much matter, that the business of one has run in upon the other. The Reader will thus account for the delay which has annually increased. Perhaps we ought rather to apologize for bringing out the matter so crudely, as we are obliged to do, to keep tolerably within time, than for a delay rendered necessary by the magnitude of our task. Happy shall we deem the hour, when, recurring from the horrors of war to the pleasant ways of peace, we shall have the pleasure of announcing to the Public, the glad tidings of returning tranquility.

T H E

1. The first step in the process of creating a new product is to identify a market need. This involves conducting market research to understand the preferences and behaviors of potential customers. Once a need is identified, the next step is to develop a concept that addresses this need. This concept should be unique, feasible, and profitable. The third step is to create a prototype of the product. This allows the company to test the product's functionality and gather feedback from potential users. The fourth step is to conduct a feasibility study. This study evaluates the technical, financial, and operational aspects of the product. The final step is to launch the product into the market. This involves developing a marketing strategy to promote the product and establish its presence in the market.

THE ANNUAL REGISTER, For the YEAR 1779.



THE HISTORY OF EUROPE.

CHAP. I.

Retrospective view of American affairs in the year 1778. Expedition to Bedford, Fair Haven; and to Martha's Vineyard. Admiral Montague dispossesses the French of the islands of St. Pierre, and Miquelon. Lord Cornwallis, and Gen. Knyphausen, advance into the enemy's country, on both sides of the North River. Surprise of Baylor's light horse. Success of the expedition to Egg Harbour. Surprise of Pulaski's legion. Cruel depredations by Butler, Brandt, and the savages, on the back frontiers. Destruction of the new settlement at Wyoming, attended with circumstances of singular cruelty and barbarity. Col. Clarke's expedition from Virginia, for the reduction of the Canadian towns and settlements in the Illinois country. Consequences of Clarke's success. Expedition from Schoharie to the Upper Susquehanna. Destruction of the Unadilla and Anaquago settlements.

WE have seen in our last volume, that the effectual protection which the French squadron received from their new allies, at Boston, had entirely frustrated Lord Sept. 8th, Howe's design of attacking D'Estaing in 1778. that road or harbour. Upon this Vol. XXII.

failure of hope with respect to his primary object, the noble Admiral immediately returned to the succour of Rhode Island, which, we have also seen, had been invested, and vigorously attacked, by General Sullivan. And finding that island already freed from danger, he proceeded to New York, where, [A] in

2] ANNUAL REGISTER, 1779.

in consequence of what is understood by a previous leave of absence, he resigned the command of the fleet into the hands of Admiral Gambier, and returned to England.

Sir Henry Clinton, who had embarked with 4,000 men for the relief of Rhode Island, had two other material objects in view, in one or both of which he might probably have succeeded, if he had not been detained by contrary winds a few hours beyond his time, or that Sullivan had not been attentive to the danger to which he was exposed, when he found himself finally abandoned by the French fleet, and in consequence deserted by the New England volunteers, who composed the better part of his force. One of these was to cut off Sullivan's retreat to the continent; and the other, which might have been either adopted as principal, or pursued as a secondary object, was to attack the Americans in their head quarters and principal place of arms at Providence; the destruction, or effectual dismantling of which, would have removed an eye-sore, and constant source of apprehension, at least, from the immediate vicinity of Rhode Island.

Sullivan's timely retreat having frustrated these designs, Sir Henry Clinton, on his return to New York, dispatched Major General Grey, with the fleet of transports and troops, under the convoy of Captain Fannhawe, of the *Carysfort* frigate, upon an expedition to the eastward. The first object of this expedition was to exterminate some nests of small privateers, which abounded in the rivers and creeks adjoining to Buz-

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This service was performed with great effect by the detachment under the command of the Major General. Between six in Sept. 5th. the evening, when the troops were landed, and twelve, on the following day, the work was completely done; destroying in their course about seventy sail of shipping, besides a great number of small craft. The detachment likewise burnt or destroyed in the same manner, the magazines, wharfs, stores, warehouses, rope walks, and vessels on the stocks, both on the Bedford and Fair Haven sides of the Acushnet river.

The transports and troops proceeded from Fair Haven to the island called Martha's Vineyard; the inhabitants of which, like those of Nantucket, were once celebrated for their enterprize, skill, and great success in the fisheries. This island, being, however, the reverse of Nantucket in point of fertility, afforded a considerable and most desirable contribution, consisting of 10,000 sheep, and 300 oxen, for the public service at New York.

In the mean time, Admiral Montague, who commanded on the Newfoundland station, no sooner received intelligence that D'Estering had commenced hostilities on the coasts

coasts of North America, than, in consequence of provisional orders with which he had been furnished for the purpose, he dispatched Commodore Evans, with the *Romney* and some frigates, together with a detachment of marines and artillery, to seize on the small islands of St. Pierre and Miquelon, which had been allotted to France by the last treaty of peace, for the purpose of curing and drying their fish, and serving as a store-house and shelter for the vessels employed in their fishery.

As France had been particularly restricted by the late treaty from fortifying those islands, and equally tied down from any increase of a small limited number of troops in them, which were only adapted to the support of the civil government, and not to any purposes of defence, against whatever might deserve the name of enemy, this service was accordingly performed without difficulty. A capitulation was granted, in consequence of which the Governor, with the inhabitants, and the garrison, amounting in the whole to about 2,000, were transmitted to France; all the accommodations of habitation, trade, and fishery were destroyed; and the islands thrown back into their original state.

Upon the return of the troops from the Bedford expedition, and with the contributions raised at Martha's Vineyard, Gen. Sir Henry Clinton determined upon another to Egg Harbour, on the Jersey coast, where the enemy had a number of privateers and prizes, and what was still more interesting, some very considerable salt works. To draw away their attention from the objects of this expedition, and

in order also to procure forage and fresh provisions for the army, Lord Cornwallis advanced into Jersey with a strong body of troops, where he took a position between Newbridge, on the Hackinsack, to his left, and the North river, to his right. At the same time, Lieut. Gen. Keyphausen, advancing with another division of the army on the West Chester side, took a parallel position, his left reaching to the North River, near Wepperham, and his right extending to the Brunx.

It would not be easy to conceive any situation more favourable for the carrying on of military operations with advantage. The two divisions being only separated by the North River, could, by the means of their flat boats, unite their whole force on either side of it within twenty-four hours; whilst, by the command of the Channel, which their marine afforded all the way up to the Highlands, Washington's forces, which were likewise separated in the same manner, but much more dispersed, could not have been assembled in less than ten days. And even then, if he should quit his strong ground in the Highlands, in order to pass over to the relief of the Jerseys, he must have subjected himself to hazard the consequences of a general action, in a country, which from its nature, would have been very unfavourable to him in such an event. By this means, the provinces of New York and the Jerseys were in a great measure laid open to the army; the necessary supplies of forage and provisions were plentifully obtained; and an opportunity was afforded to the well affected of

4] ANNUAL REGISTER, 1779.

coming in for protection or service. Such was one, among the numberless advantages, which our naval command of the seas and rivers afforded in the course of this war.

Baylor's regiment of light horse, which had been lately raised in Virginia, and was generally called Mrs. Washington's regiment, became a victim upon this occasion, to the design of Lord Cornwallis, with the immediate address, and prompt execution, of Major General Grey. This regiment having been detached with some militia to watch and interrupt the foragers, their vicinity to the North River, in the villages of Old and New Taapan, where they lay, with other circumstances of situation, and perhaps more than any, their unsoldierly security, and carelessness with respect to guards and posts, induced Lord Cornwallis to form a plan for their surprize in the night. In pursuit of this design, whilst Gen. Grey, with the light infantry, and some other troops, advanced by Sept. 27th. night on the left, to surprize the enemy on that side, a detachment was made from Knyphausen's corps, on the right, consisting of the 71st regiment under Col. Campbell, and an American light corps, called the Queen's Rangers, who having passed the North River, intended to have enclosed them so effectually, that being placed between two fires, few or none of them could escape.

Some deserters from the column on the right, prevented the completion of the scheme. These having at the most critical moment, roused the militia who lay in New Taapan, from their trance of security, afforded a clear opportu-

nity for their escape, before the column could come up. But the Major General conducted his division, with so profound a silence, and such excellency of order, that they not only cut off a serjeant's patrolle of twelve men, without any noise, but completely surrounded the village of Old Taapan without any discovery, and surprized Baylor's horse, asleep and naked, in the barns where they lay. A severe execution took place, and the regiment was entirely ruined.

Capt. Ferguson of the 70th regiment, with about 300 land forces, were detached on the expedition to Little Egg Harbour, on the Jersey coast, under the convoy of Capt. Colins of the Zebra, with two other frigates, besides some light armed vessels and gallies, which, from their capacity of running into shallow water, were particularly adapted to the nature of the intended service.

The convoy arrived at the place of its destination about the beginning of October; but as the wind and other circumstances retarded the passage of the ships over a bar which lay in their way, and that every thing in such an enterprize depended upon expedition, the troops were crowded, as circumstances would admit, into the gallies and small craft, which were lightened, by taking out every thing that was not essentially necessary to the immediate service. It seems, that the enemy having received some intelligence of the design against them, had suddenly sent out to sea, such of their privateers as were in any degree of readiness, in order thereby to evade the impending danger. The larger of their remaining vessels, con-

consisting mostly of prizes, were, for their greater security, hauled up the river Mullicus as far as they could go, to a place called Chesnut Neck, which lay about 20 miles from the mouth of the river. Their smaller privateers, and craft of different sorts, were carried still farther up into the country.

The detachment, with the lighter armed vessels, proceeded, through a most difficult passage, to Chesnut Neck; being obliged to work their way at random through numberless shoals, without the aid of a pilot, or any knowledge of the channels. Having successfully overcome these difficulties, they discovered on their arrival, an appearance of resistance which they could scarcely have expected; one battery shewing itself close to the water side, and another, with a breast work manned, to cover it on an adjoining eminence. But upon a nearer approach it was discovered, that these works were totally destitute of artillery; and the troops being landed under a well directed cannonade from the galleys and gun boats, the neighbouring militia, who had undertaken their defence with small arms, soon found the task beyond their ability, and were, with little difficulty, and without any loss, obliged to abandon them and disperse.

The detachment found ten vessels at this place; which were of a considerable size, and mostly British prizes. Although these were in general valuable, yet the difficulty of the navigation, and the danger of delay, rendered the carrying them off impracticable; they were accordingly fired and destroyed. And as the trade of New York had suffered greatly from their de-

predations, the commanders determined to root out this nest of privateers as effectually as possible. Under this determination, they destroyed the settlements, storehouses and works of every sort.

The good will of the officers and troops would have led them to complete the business, by proceeding up the river, and destroying the remainder of the enemy's shipping, in their last retreat, at the Forks, if the difficulties had not appeared too discouraging, and the danger too imminent to be prudently encountered. The delays which they met with in their return, owing to the stranding of some of the vessels, afforded an opportunity to the troops of making some successful excursions into the neighbouring country. In these they destroyed some considerable salt works, as well as the houses and settlements of several persons; who had either been conspicuous by their activity in the rebellion, charged with oppression and cruelty to the well affected, or who had been concerned in the fitting out of privateers; a species of service, however, more calculated to gratify resentments on one side, and to excite them on the other, than to produce any essential end with regard to the issue of the war.

When the troops had rejoined the squadron, a delay occasioned by contrary winds in Egg Harbour, afforded an opportunity to enterprising officers for the performance of new service, and that of a more active and spirited nature, than what they had already executed. A French captain, with some private men, who had deserted from Pulaski's legion, gave such an account of the careless

manner in which three troops of horse, and as many companies of infantry, all belonging to that corps, were cantoned, at only a few miles distance, that the commanding officers by sea and land, judged it a sufficient ground for undertaking an expedition to surprize and beat up their quarters. The advantage of conveying the troops by water to within a small distance of their destination, together with the information given by the deserters of an unguarded bridge, which lay a little on their side of the scene of action, the possession of which would serve in case of necessity, effectually to cover the retreat back to their vessels, added much to the apparent eligibility of the design.

The deserters spoke truth in this instance, and the success was accordingly answerable to the expectation. 250 men were embarked, who after rowing ten miles, were landed long before day-light, within a mile of the bridge and defile we have mentioned; these being seized without discovery, and a proper guard left to secure the possession, the rest of the detachment pushed forward, and so completely surprized Pulascki's light infantry in the houses where they lay, as nearly to cut them to pieces without resistance. The victors numbered above fifty dead bodies. Several officers, and among them, the Baron de Bose, a lieutenant colonel, with a captain, and an adjutant, perished in this slaughter. Capt. Ferguson observes in his report, that it being a night attack, little quarter could be given, so that only five prisoners were taken. Though some attempt was made by Pu-

laski's horse, and the remains of his infantry, to harraß the detachment on their retreat, the good countenance which they kept, and the possession of the bridge, rendered it totally ineffectual.

Civil wars are unhappily distinguished from all others, by a degree of rancour in their prosecution, which does not exist in the hostilities of distinct nations, and absolute strangers. They are of course fruitful in circumstances grievous to humanity. In such cases, the most trifling occasions, the most vague and absurd rumours, will irritate the multitude in all armies, to acts of great rigour and cruelty. An account given by the deserters, that Pulascki had issued public orders, forbidding his corps to grant any quarter to the British troops, afforded a new edge to the fury of the soldiers, and shut up their bosoms against every feeling of pity or remorse. This tale, totally unsupported, as it should seem, by any former, concurrent, or subsequent circumstance, might well be attributed to the malice of the deserters; and perhaps on all such occasions, it were better not to credit too hastily, those reports which urge to acts of unusual severity, by charging a like intention to the enemy.

This and the former expedition afforded an opportunity for a renewal of those complaints, which the Americans had so loudly and repeatedly made, of the inhumanities and cruelties exercised by some corps of the British troops, as well as by their auxiliaries. A number of real or supposed facts, were now particularly supplied by the surprize of Baylor's regiment, which

HISTORY OF EUROPE. [7

which was represented as, a cold-blood massacre of naked men, surprized in their sleep; and who, from a reliance on the laws of war and customs of nations, being in full expectation of quarter when they made no resistance, would not lessen or hazard that security, by even an attempt to lay hold of their arms, or the smallest motion of defence. The depositions of several of the soldiers who had been left as dead, or who had otherwise unaccountably escaped, were taken upon oath, authenticated in the usual forms, and published by authority. Some of the witnesses who appeared upon this occasion, afforded such extraordinary instances of the tenaciousness of human nature, in some particular cases and circumstances, with respect to life, that a recital of the facts as they are stated, may possibly be considered by some as a matter of physical curiosity. Of about a dozen wounded soldiers who appeared to give their evidence, three had received, in a regular gradation, from nine to eleven stabs each, of bayonets, in the breast and trunk of the body, besides several wounds in other parts. Two others had received, the one five, and the other six, stabs in the body. It will undoubtedly excite the admiration of whoever considers the nature of the weapon, and the force which it derives, as well from the weight of the musket to which it is fixed, as from the manner in which it is used, and the strength of the operator, that these men were not only able to give their testimony at a considerable distance of time, but that no

doubt seems then to have been entertained of their recovery.

Although some tribes of the Indians, particularly of those commonly called the Six Nations, had sent congratulations to General Gates on his success at Saratoga, and seemed to enjoy great satisfaction in that event, and that others took different opportunities of expressing similar sentiments, yet the presents which they continually received from England, the industry of the British agents, and the influence of the great number of American refugees which had taken shelter amongst them, all operating in conjunction upon their own native and unconquerable passion for rapine, soon led them to contradict in act, their sentiments or professions upon that occasion. The success which attended the small expeditions undertaken by individuals of different tribes, under the guidance of the refugees, who knew where to lead them directly to spoil, and how to bring them off without danger, soon spread the contagion of havoc through the adjoining nations, so that, in a little time, destruction raged very generally through the new settlements, on the back of the northern and middle Colonies.

Colonel Butler, whose name we have seen, as an Indian agent and commander, in the wars on the side of Canada, and who had great influence with some of the northern nations of that people, together with one Brandt, an half Indian by blood, a man of desperate courage, but, as it is said by the Americans, ferocious and cruel beyond example, were the

2] ANNUAL REGISTER, 1779.

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predations, the commanders determined to root out this nest of privateers as effectually as possible. Under this determination, they destroyed the settlements, storehouses and works of every sort.

The good will of the officers and troops would have led them to complete the business, by proceeding up the river, and destroying the remainder of the enemy's shipping, in their last retreat, at the Forks, if the difficulties had not appeared too discouraging, and the danger too imminent to be prudently encountered. The delays which they met with in their return, owing to the stranding of some of the vessels, afforded an opportunity to the troops of making some successful excursions into the neighbouring country. In these they destroyed some considerable salt works, as well as the houses and settlements of several persons, who had either been conspicuous by their activity in the rebellion, charged with oppression and cruelty to the well affected, or who had been concerned in the fitting out of privateers; a species of service, however, more calculated to gratify resentments on one side, and to excite them on the other, than to produce any essential end with regard to the issue of the war.

When the troops had rejoined the squadron, a delay occasioned by contrary winds in Egg Harbour, afforded an opportunity to enterprising officers for the performance of new service, and that of a more active and spirited nature, than what they had already executed. A French captain, with some private men, who had deserted from Pulaski's legion, gave such an account of the careless

manner in which three troops of horse, and as many companies of infantry, all belonging to that corps, were cantoned, at only a few miles distance, that the commanding officers by sea and land, judged it a sufficient ground for undertaking an expedition to surprize and beat up their quarters. The advantage of conveying the troops by water to within a small distance of their destination, together with the information given by the deserters of an unguarded bridge, which lay a little on their side of the scene of action, the possession of which would serve in case of necessity, effectually to cover the retreat back to their vessels, added much to the apparent eligibility of the design.

The deserters spoke truth in this instance, and the success was accordingly answerable to the expectation. 250 men were embarked, who after rowing ten miles, were landed long before day-light, within a mile of the bridge and defile we have mentioned; these being seized without discovery, and a proper guard left to secure the possession, the rest of the detachment pushed forward, and so completely surprized Pulaski's light infantry in the houses where they lay, as nearly to cut them to pieces without resistance. The victors numbered above fifty dead bodies. Several officers, and among them, the Baron de Bosc, a lieutenant colonel, with a captain, and an adjutant, perished in this slaughter. Capt. Ferguson observes in his report, that it being a night attack, little quarter could be given, so that only five prisoners were taken. Though some attempt was made by Pu-

laski's horse, and the remains of his infantry, to harass the detachment on their retreat, the good countenance which they kept, and the possession of the bridge, rendered it totally ineffectual.

Civil wars are unhappily distinguished from all others, by a degree of rancour in their prosecution, which does not exist in the hostilities of distinct nations, and absolute strangers. They are of course fruitful in circumstances grievous to humanity. In such cases, the most trifling occasions, the most vague and absurd rumours, will irritate the multitude in all armies, to acts of great rigour and cruelty. An account given by the deserters, that Pulaski had issued public orders, forbidding his corps to grant any quarter to the British troops, afforded a new edge to the fury of the soldiers, and shut up their bosoms against every feeling of pity or remorse. This tale, totally unsupported, as it should seem, by any former, concurrent, or subsequent circumstance, might well be attributed to the malice of the deserters; and perhaps on all such occasions, it were better not to credit too hastily, those reports which urge to acts of unusual severity, by charging a like intention to the enemy.

This and the former expedition afforded an opportunity for a renewal of those complaints, which the Americans had so loudly and repeatedly made, of the inhumanities and cruelties exercised by some corps of the British troops, as well as by their auxiliaries. A number of real or supposed facts, were now particularly supplied by the surprize of Baylor's regiment, which

HISTORY OF EUROPE. [7

which was represented as a cold-blood massacre of naked men, surprized in their sleep; and who, from a reliance on the laws of war and customs of nations, being in full expectation of quarter when they made no resistance, would not lessen or hazard that security, by even an attempt to lay hold of their arms, or the smallest motion of defence. The depositions of several of the soldiers who had been left as dead, or who had otherwise unaccountably escaped, were taken upon oath, authenticated in the usual forms, and published by authority. Some of the witnesses who appeared upon this occasion, afforded such extraordinary instances of the tenaciousness of human nature, in some particular cases and circumstances, with respect to life, that a recital of the facts as they are stated, may possibly be considered by some as a matter of physical curiosity. Of about a dozen wounded soldiers who appeared to give their evidence, three had received, in a regular gradation, from nine to eleven stabs each, of bayonets, in the breast and trunk of the body, besides several wounds in other parts. Two others had received, the one five, and the other six, stabs in the body. It will undoubtedly excite the admiration of whoever considers the nature of the weapon, and the force which it derives, as well from the weight of the musket to which it is fixed, as from the manner in which it is used, and the strength of the operator, that these men were not only able to give their testimony at a considerable distance of time, but that no

doubt seems then to have been entertained of their recovery.

Although some tribes of the Indians, particularly of those commonly called the Six Nations, had sent congratulations to General Gates on his success at Saratoga, and seemed to enjoy great satisfaction in that event, and that others took different opportunities of expressing similar sentiments, yet the presents which they continually received from England, the industry of the British agents, and the influence of the great number of American refugees which had taken shelter amongst them, all operating in conjunction upon their own native and unconquerable passion for rapine, soon led them to contradict in act, their sentiments or professions upon that occasion. The success which attended the small expeditions undertaken by individuals of different tribes, under the guidance of the refugees, who knew where to lead them directly to spoil, and how to bring them off without danger, soon spread the contagion of havoc through the adjoining nations, so that, in a little time, destruction raged very generally through the new settlements, on the back of the northern and middle Colonies.

Colonel Butler, whose name we have seen, as an Indian agent and commander, in the wars on the side of Canada, and who had great influence with some of the northern nations of that people, together with one Brandt, an half Indian by blood, a man of desperate courage, but, as it is said by the Americans, ferocious and cruel beyond example, were the

8] ANNUAL REGISTER, 1779.

principal leaders in these expeditions. The vast extent of the frontiers, the scattered and remote situation of the settlements, the nature of the combined enemy, which seemed to coalesce in one point of action, all the properties of British, American, and savage warfare, together with the exact knowledge which the refugees possessed of every object of their enterprize, and the immediate intelligence which they received from their friends on the spot, afforded them such advantages in these expeditions, that the wretched settlers, found all personal resistance as ineffectual, as public protection was impracticable. To complete their calamity, submission could procure no mercy, nor was age, sex, or condition, in too many instances, capable of allaying the fury of their enemy.

In this course of havock, the destruction of the fine, new, and flourishing settlement of Wyoming, was particularly calamitous to the Americans. That district, situated on the eastern branch of the Susquehanna, in a most beautiful country, and delightful climate, although claimed by, and in the natural order of things seeming properly to appertain to Pennsylvania, was notwithstanding, since the last war, settled and cultivated with great ardour, by a numerous swarm from the populous hive of Connecticut. This measure was, however, so much opposed and resented by Pennsylvania, and so obstinately supported by its antagonist, that after much altercation, it became at length the foundation of an actual war between the two Colo-

nies, in which they engaged with such earnestness, that it was not even terminated by the contest with the mother country, until the danger grew so near and so imminent to both sides, as of necessity to supersede for the present all other considerations. Their respective charters, and the grants of land under them, interfered strangely with each other. It may be presumed, that the crown in those days did not take much trouble in settling the geography of boundless wastes, which afforded no immediate value, and whose future cultivation, or any disputes about their limits, appeared to be matters of so remote and uncertain a speculation, as to excite no great degree of present attention.

The Colony of Connecticut obtained by their grant, all the lands westward, within their proper degrees of latitude, to the South Seas, which were not already occupied by other powers. New York, and New Jersey, were then within that exception, being both foreign, and they stretched directly across, in the way of that grant. Pennsylvania was afterwards granted to its proprietors, lying on the farther side, and in a parallel line, with these two provinces. The Connecticut men acknowledged the validity of the exception with respect to New York and Jersey; but insisted, that their right emerged on the western boundary of those provinces, in the course of the supposed line, and could not in any degree be affected by a later grant made to Pennsylvania. A claim, which, if established, would narrow the limits of the last province to a degree, which would most materially

HISTORY OF EUROPE. [9

ally affect its power and interests ; and which lying open, as it still does, may possibly be productive of very material consequences with respect to the future state of America.

The settlement of Wyoming consisted of eight townships, each containing a square of five miles, beautifully situated on both sides of the Susquehanna. In such a country, situation, and climate as we have described, and blest with a soil luxuriantly fertile ; where every man possessed an abundance, which was, however, the fruit of moderate labour and industry ; where no man was very rich, nor very great ; the inhabitants exhibited upon the whole, such a picture of primeval happiness, as has seldom been equalled ; and such, indeed, as humanity in its present state seems scarcely capable of exceeding.

The settlement increased and thrived accordingly. And notwithstanding its infant state, and the opposition they met from Philadelphia, population was already become so vigorous amongst them, that they had sent a thousand men to serve in the Continental army. Yet, with this excessive drain from the cultivation of a new Colony, their farms were still so loaded with plentiful crops of every kind, and their pastures so abundantly covered with cattle, that their supplies to the army in those respects, were at least in full proportion to that which they afforded in men. Nor had they been deficient in providing against those dangers, to which, from their remote situation, they were particularly exposed ; and had accordingly constructed for that

purpose no less than four forts, which seemed, at least, fully sufficient to cover the settlement from the irruptions of the savages.

But neither the happiness of climate, the fertility of soil, nor the remoteness of situation, could prevent the evils of party and political discord from springing up amongst them. It might indeed appear from the supply of men which they had sent to the army, that only one political principle pervaded the settlement ; a supply so ill suited to the state and strength of an infant colony, that it seems difficult whether to admire more, the excess of zeal from which it proceeded, or the total want of prudence, policy, and wisdom, under which it was directed. But notwithstanding this appearance, they had no inconsiderable mixture of loyalists among themselves, and the two parties were actuated by sentiments of the most violent animosity. Nor were these animosities confined to particular families or places, or marked by any line of distinction ; but creeping within the roofs, and to the hearths and boards where they were least expected, served, as it afterwards fatally appeared, equally to poison the sources of domestic security and happiness, and to cancel the laws of nature and humanity.

It would seem extraordinary, if such instances had not occurred upon other occasions, that this devoted people had frequent and timely warnings of the danger to which they were exposed by sending all their best men to so great a distance, without their taking any timely measures for their recall,

call, or even for procuring a substitute of defence or protection. Their quiet had been interrupted by the savages, joined with marauding parties of their own countrymen, in the preceding year; and it was only by a vigorous opposition, in a course of successful skirmishes, that they had been driven off or dispersed. Several of those whom they called Tories, and others who had not before been suspected, had at that time and place abandoned the settlement, and along with a perfect, and consequently dangerous knowledge of all the particulars of their situation and circumstances, were well known to have carried along with them such a stock of private resentment, from the abasement and insults they had suffered from the prevailing party, as could not fail to give a direction to the fury, and even a new edge to the cruelty, of their savage and inveterate enemies.

A sort of public act which had taken place in the settlement since the last invasion, was preceded with, and productive of circumstances, which afforded cause for the greatest alarm, and for every possible defensive precaution. An unusual number of strangers had, under various pretences, and the sanction of that universal hospitality which once so much distinguished America from the old world, come into the Colony, where their behaviour became so suspicious, that they were at length taken up and examined, when such evidence appeared against several of them, of their acting in direct concert with the enemy, on a scheme for the destruction of the settlements, that about twenty were sent off

under a strong guard to Connecticut, in order to be there imprisoned and tried for their lives. The remainder of these strange Tories, against whom no sufficient evidence could be procured, were only expelled. It was soon well known, that this measure of sending their fellows to Connecticut, had excited the rage of those called Tories, in general, whether in arms on the frontiers, or otherwise, in the most extreme degree; and that all the threats which had ever been denounced against this people, were now renewed with aggravated vengeance.

As the time approached for the final catastrophe, the Indians practised a more refined dissimulation, if not greater treachery, than had been customary with them. For several weeks previous to the intended attack, they repeatedly sent small parties to the settlement, charged with the strongest professions of friendship, declarations, of the fullest desire and intention to preserve the peace inviolate on their side, and requests, that the same favourable and pacific disposition might be entertained and cultivated on the other. These parties, besides lulling the people in their present deceitful security, answered the purposes, of communicating with their friends, and of observing the immediate state of affairs in the Colony. Some alarm, or sense of their danger, began, however, to spread among the people, and letters were sent to General Washington, and to others in authority, representing their situation, and demanding immediate assistance. As the time more nearly approached,

HISTORY OF EUROPE. [11

approached, some small parties of the enemy, more impatient than the rest, or more eager and covetous to come in for the first fruits of the spoil, made sudden irruptions into the settlement, and committed several robberies and murders; in the course of which, whether through ignorance, or whether from a total contempt of all ties and obligations, they massacred the unhappy wife and five children of one of those men, who had been sent for trial, in their own cause, to Connecticut.

At length, in the beginning of July, 1778, the enemy appeared suddenly, but in full force, on the Susquehanna. They were led by Butler, that distinguished partizan, whose name we have already mentioned; who was assisted by most of those leaders, who, like him, had rendered themselves terrible in the present frontier war. Their force was estimated at about 1,600 men, of whom, something less than one fourth were Indians, led by their own chiefs; the others, were disguised and painted in such a manner, as not to be distinguished from the savages, excepting only their officers, who being dressed in regimentals, carried the appearance of regulars. One of the smaller forts, which was mostly garrisoned by those called Tories, was by them given up, or as it was said betrayed. Another was taken by storm, where, although they massacred the men in the most inhuman manner, they spared the women and children.

It seems odd enough, if not singular, that another Colonel Butler, and said to be a near relation to the invader, should chance to

have the defence of Wyoming, either committed to his charge, or by some means fall to his lot. This man, with nearly the whole force of the settlement, was stationed in the principal fort, called Kingston; whither also, the women, children, and defenceless of all forts, as the only place of common refuge, crowded for shelter and protection. It would seem, from his situation and force in that place, that he might there have waited, and successfully resisted, all the attempts of the enemy. But this man was so wretchedly weak, that he suffered himself to be enticed by his namesake and kinsman, to abandon the advantage and security afforded by his fortress, and to devote those under his charge to certain destruction, by exposing them naked to so severe an enemy. Under the colour of holding a parley for the conclusion of a treaty, he was led into an agreement, that upon the enemy withdrawing their force, he should march out to hold a conference with them in the open field, and that at so great a distance from the fort, as shut out every possibility of the protection which it otherwise afforded. To render this measure still more unaccountable, he, at the same time, shewed so great a distrust of the enemy, and seemed so thoroughly apprehensive of their designs, that he marched 400 men well armed, being nearly the whole strength of his garrison, to guard his person to the place of parley.

Upon his arrival there, he was greatly surprized at finding nobody to treat with; but not being willing to return without finishing his business, he advanced towards the

the foot of the neighbouring mountains, still hoping that he might hear or see something of those he wanted. As the country began to grow dark and woody, a flag at length appeared, at a considerable distance among the bushes, the holders of which seemed so much afraid of treachery and danger from his side, that they retired as he advanced; whilst he, endeavouring to remove this ill impression, still pursued the flag.

This commander of a garrison did not once perceive his danger, until his party was thoroughly enclosed, and he was suddenly awakened from his dream, by finding it attacked at once on every side. His behaviour in this wretched situation, could scarcely have been expected from the conduct which led him into it. He and his party, notwithstanding those circumstances of surprize and danger which might have disconcerted the most veteran troops, fought with resolution and bravery; and kept up so continual and heavy a fire for three quarters of an hour, that they seemed to gain a marked superiority over their numerous enemy.

In this critical moment of danger, some sudden impulse of fear, or premeditated treachery in a soldier, which induced him to cry out aloud that the colonel had ordered a retreat, determined at once the fate of the party, and possibly that of the final author of their ruin. In the state of confusion that ensued, the enemy breaking in on all sides without obstruction, commenced an unresisted slaughter. Considering the great superiority of numbers on the side of the victors, the fleetness of the savages, and the fierce-

ness of the whole, together with the manner in which the vanquished had been originally surrounded, it affords no small room for astonishment, that the commander of the garrison, with about seventy of his party, should have been able to effect their escape, and to make their way good to a small fort on the other side of the river.

The conquerors immediately invested Fort Kingston, and to cheer the drooping spirits of the weak remaining garrison, sent in for their contemplation, the bloody scalps of 200 of their late relations, friends, and comrades. Colonel Dennison, the present commander of the fort, seeing the impossibility of any effectual defence, not having force sufficient even to man the works for one effort, went with a flag to Butler, to know what terms he would grant on a surrender; to this application of weakness and misery, Butler, with all the phlegm of a real savage, answered in two short words, "the hatchet." In these dreadful circumstances, the unfortunate governor having defended his fort, until most of the garrison were killed or disabled, was at length compelled to surrender at discretion. Some of the unhappy persons in the fort were carried away alive; but the barbarous conquerors, to save the trouble of murder in detail, shut up the greater part promiscuously in the houses and barracks, which having then set on fire, they enjoyed the savage pleasure of beholding the whole consumed in one general blaze.

They then proceeded to the only remaining fort, called Wilkesborough, which, in hopes of obtaining

HISTORY OF EUROPE. [13

taining mercy, was surrendered without resistance, or without even demanding any conditions. Here the tragedy was renewed with aggravated horrors. They found here about seventy of that sort of militia, who are engaged by the different provinces, merely for the guard and defence of their respective frontiers, and who are not called to any other service. With these, as objects of particular enmity, the slaughter was begun; and they were butchered with every possible circumstance of the most deliberate, wanton, and savage cruelty. The remainder of the men, with the women and children, not demanding so much particular attention, were shut up as before in the houses, which being set on fire, they perished all together in the flames.

A general scene of devastation was now spread through all the townships. Fire, sword, and the other different instruments of destruction alternately triumphed. The corn fields were set on fire, and the standing corn, now almost ready for the sickle, burnt as it grew. The houses, furniture, valuables of every kind, together with all those improvements which owed their rise to the persevering toil, and patient industry of man, were as completely destroyed, as their nature, or the industry of the spoilers would admit. The settlements of the Tories alone, generally escaped, and appeared as islands in the midst of the surrounding ruin. It has been often observed, that the practice and habit of cruelty with respect to any particular object, begets a facility in its execution, and a disposition to its commission, with

regard to all others. Thus, these merciless ravagers, when the main objects of their cruelty were exhausted, seemed to direct their animosity to every part of living nature; and, as if it were a relaxation, or amusement, cut out the tongues of the horses and cattle, leaving them still alive only to prolong their agonies.

The following are a few of the more singular or detached circumstances of barbarity, which are related as parts of this massacre. A Captain Bedlock, who had been taken prisoner, being stripped naked, had his body stuck full of sharp pine splinters, and then a heap of knots of the same wood being piled round him, the whole was set on fire, and his two companions, the Captains Ranson and Durgée, thrown alive into the flames. It is said, that the returned Tories, who had at different times abandoned the settlement in order to join in those savage expeditions, were the most distinguished for their cruelty. Among these, one, whose mother had married a second husband, butchered with his own hands, both her, his father-in-law, his own sisters, and their infant children. Another, who, during his absence, had sent home several threats against the life of his father, now not only realized them in person, but was himself, with his own hands, the exterminator of his whole family; mother, brothers, and sisters, mingled their blood in one common carnage, with that of the ancient husband and father.

However painful the task of reciting such horrible barbarities, (many of the worst circumstances of which are spared) it may not
be

be totally useless, if they serve to produce a dislike of that promptitude of entering into wars, which is but too natural to people, as well as to princes, when they see the consequences, which their passion, often for trivial and contemptible objects, so frequently produce; and by which they are led gradually, not only to great crimes and great misfortunes, but even to a total change and degradation of their nature.

It is necessary to observe with respect to the destruction of Wyoming, that as no narrative of the exploits of the leaders in that transaction, whether by authority or otherwise, has as yet appeared in this country, we can only rely, for the authenticity of the facts which we have stated, upon the accounts published by the Americans. As these have already been long exposed to the view of all Europe, without their yet producing a single contradiction, any natural, but improper partiality, which might be a temptation to induce us, either to draw a veil over the whole, or to suppress any of the parts of that transaction, would therefore of course, be as fruitless in the effect, as disgraceful in the design. Happy should we deem it, for the honour of humanity, that the whole account was demonstrated to be a fable. The event has already shewn, the impolitic nature of these proceedings, which have only served to fix a bitter and lasting resentment in the minds of the colonists.

The sufferings of the refugees, consisting mostly of women and children, (the broken parts, and scattered relicks of families, who had escaped to the woods during the different scenes of this devasta-

tion) were little less deplorable, than those of their friends who had perished in the ruins of their houses. Dispersed and wandering in the forests, as chance and fear directed their steps, without any mutual knowledge or communication, without provision or covering, they had a long tract of deserts to traverse, without guide or direction. They accordingly suffered every degree of distress. Several women were delivered alone in the woods, at a great distance from every possibility of relief. If these, through vigour of mind; or strength of constitution, escaped, undoubtedly others, in similar, and in different circumstances, perished:

Although the fate of Wyoming, and the lamentations of the survivors, had served alternately to freeze every breast with horror, and to melt it with compassion; yet the various objects and exigencies of the war, rendered the Americans incapable for the present, of executing that vengeance on their savage enemy, which was, however, fully intended at a proper season. Some small expeditions were, indeed, undertaken, which, from the difficulties attending them, and the spirit of enterprize under which they were conducted, were not destitute of merit, and consequently, are not unworthy of observation, in the narrative of a campaign not distinguished by any activity in the great and splendid operations of war.

Of this sort was an expedition undertaken in the course of the summer from Virginia, under the conduct of a Col. Clarke, with a small party of between two and three hundred men. It cannot but appear astonishing to those, who have

have been generally used to contemplate military operations, only as they are circumscribed within the narrow confines of European countries, that the object of this enterprize was at so vast a distance, as that the party, in their way, were obliged to traverse no less than about 1200 miles, of a boundless, uncultivated, and uninhabited waste, through which they were under a necessity of conveying, every necessary for subsistence, and every equipment for action. It is, however, to be observed, that their conveyance, for much the greater part of the way, was by water.

Their object was the reduction of those French settlements, which had been planted by the Canadians on the upper Mississippi, in that fine and fertile region, as it is described, which taking its name from a noted nation of Indians, is called the Illinois country. It appears, that much of the mischief which had fallen upon the southern and middle colonies from the incursions of the savages, had been attributed to the activity of the governor of those settlements; who, since the commencement of the troubles, acting as an agent for government, and paying large rewards for scalps, had besides been indefatigable in his continual endeavours of exciting the Ohio and Mississippi Indians, to undertake expeditions against the back settlements. This conduct was the motive to the present distant expedition.

The party, after a long course down the Monongahela, and what might be considered in point of extent, as a voyage, on the Ohio, arrived at length at the great falls of the latter, within about 60 miles

of its mouth, where they hid their boats, and bent their course by land to the northward. In this stage of the expedition, after consuming all the provision which they had been able to carry on their backs, they endured a hard march of two days without any sustenance. We may therefore well credit their assertion, that when they arrived in this hungry state, about midnight, at the town of Kaskaskias, they were unanimously determined to take it or to perish in the attempt.

This town contained about 250 houses, and was sufficiently fortified to have withstood a much stronger enemy; but as the imagined security which the people derived from their remoteness, forbid all ideas of danger, it of course superseded all precaution against a surprize. This was accordingly as complete as possible. The town and fort were taken, without noise or opposition, before the people were well awake; and the inhabitants were so effectually secured, that not so much as a single person escaped to alarm the neighbouring settlements. The governor, Philip Rocheblave, who was considered as so inimical to the Americans, was sent to Virginia, with all the written instructions which he had received from Quebec, Detroit, and Michillimackinack, for setting on and paying the Indians. The inhabitants were compelled to take an oath of allegiance to the United States; and the fort became the principal citadel and head quarters of the victors.

A small detachment which was pushed forward from this place on horseback, surprized and took with as little difficulty, three other French towns, which lay from
fifteen

fifteen to about seventy miles farther up the Mississippi. In all, the inhabitants seem to have transferred their allegiance with great facility; nor were those dispersed in the country behind-hand with them; who, without waiting for any operation of force or necessity, flocked in by hundreds to take the new oath.

The situation of this small party, in the heart of the Indian country, at the back of some of their most cruel and hostile tribes, in the track of many others, and more or less in the way of all, was converted to peculiar advantage, by the extraordinary activity, and unwearied spirit of their commander. He directed and timed his attacks with such judgment, and executed them with such silence and dispatch, that the savages, at length, found their own mode of war effectually turned upon them. Surprized in their inmost retreats, and most sequestered recesses, at those times and seasons, when they were scarcely less indisposed for action, than unprepared for defence, they experienced in their own huts and families, that unexpected slaughter and destruction, which they had so frequently carried home to others. Thus feeling, in the most sensible manner, those calamities which they were only wont to administer, they grew cautious and timid; and the continual danger to which their families were exposed, damped, for a while, the ardour of the warriors in undertaking expeditions. In the mean time, the Americans in the back settlements, not only hearing of Clarke's successes, but immediately feeling their benefit, began to shake off their terror, and even seemed by degrees to partake of his spirit and enterprize.

An expedition, in some degree of the same nature, was also undertaken, from the remote and upper parts of Pennsylvania in the month of October, under the conduct of a Col. Butler; the present being, however, as much directed against several considerable settlements belonging to those people whom they called Tories (and who, from the violence of their past hostilities, had become particularly obnoxious), as against the Indians, with whom they seem to have been intermixed as one people. This party, which consisted of a Pennsylvania regiment, covered by riflemen and rangers, took its departure from Schoharie; and having gained the head of the Delaware, marched down that river for two days; from whence, turning off to the right, they struck across the mountains to the Susquehanna, which was the scene of action.

Without entering into a detail of particulars, it will be sufficient to observe, that they totally burnt and destroyed, both the Indian castles or villages in that quarter, and the other settlements. But that, notwithstanding the utmost address and precaution were practised for the purpose of a complete surprize, the inhabitants, both Tories and Indians, had the fortune to escape; a deliverance of no small moment in their situation; as the vengeance for Wyoming, where they bore a distinguished part, would undoubtedly have fallen heavy upon them. The destruction was extended for several miles on both sides of the Susquehanna; in the course of which, the fruits of a plentiful harvest, together with the only saw-mill and grist-mill in that whole country, shared an equal fate with the houses and every other

other article useful or necessary to man.

The difficulties, distresses, and dangers, which the party encountered in this expedition, were peculiar to that part of the world; and required no small share of that patient fortitude, and hardiness of body and mind, which can scarcely be acquired without long habitude; under certain marked circumstances of situation; by any considerable number of men. Notwithstanding the occasional assistance which they derived from their pack-horses, they were under a necessity of carrying six days provisions on their backs; and thus loaded, continually to wade through rivers and creeks of such a depth and magnitude, that they would scarcely appear passable, without any incumbrance, to men unused to such service. In these circumstances, after the toil of a hard march, and in some situations not venturing to make fires for fear of discovery, they were obliged to endure, without cover, the chilling nights and heavy rains peculiar to that climate and season; whilst their arms were

rendered useless, at those times when they were most liable to the sudden attack of an enraged and cruel enemy, whose principal effort lay in that sort of surprize. These were, however, only small matters, when compared with the danger which awaited their return, and which they hardly escaped. This was the sudden rising of the great rivers in their way, occasioned by the continual rains, whilst they were still in the enemies country, (who were very strong in that quarter) their provisions nearly expended, and every moment affording fresh room for apprehension, that their return would become totally impracticable. A strenuous and bold exertion, to which fortune was, at least, negatively favourable, prevented the fatal consequences of that event.

In this manner, the savage part of the war was carried on in America with mutual boldness and perseverance; and waste and cruelty inflicted and retorted, with infinite variety of scenes of horror and disgust.

C H A P. II.

Review of conciliatory measures pursued by the commissioners for restoring peace in America. Attempt to open and smooth the way to a negotiation by private communications and correspondence, fails in the effect, and is highly resented by the Congress. Resolutions by that body against holding any Communication or intercourse with one of the commissioners. Gentleman in question, declines acting any longer in the commission, and publishes a declaration in answer to the Congress. Declaration from the remaining commissioners in answer to that body. Final manifesto and proclamation by the commissioners. Cautionary measures recommended by the Congress to the people; followed by a counter manifesto, threatening retaliation. Singular letter from the Marquis de la Fayette, to the Earl of Carlisle. American expedition for the reduction of the British settlements in the country of the Natchez, on the borders of the Mississippi. Expedition from New-York, under the conduct of Commodore Parker and Colonel Campbell, for the reduction of the province of Georgia. Landing made good, and the rebels defeated. Town of Savannah taken, and the province in general reduced. Major-General Prevost arrives from the southward; takes the town and fort of Sunbury, and assumes the principal command.

IT affords no small degree of pleasing relaxation, to return from all the rage of war, and all the horrid ferocity of savages, and once more to tread in the pleasing paths of civil life. We have indeed beheld the first in its most shocking and degraded form. Stripped of all that "pomp, pride, and circumstance," which serve so strongly to fascinate the imagination, and divested of that glare of glory, which throws a shade over its deformities, the ghastly carcass has not only been exposed in all its nakedness, but polluted and disfigured by the bloody hands of barbarians. From so horrid a scene we naturally turn with pleasure, to trace the tranquil mazes of negotiation, and to review the acts and conduct of men in the most refined state of society.

We briefly stated in our last volume, the insuperable difficulties

which the Congress had thrown in the way of that conciliatory system, with which the Commissioners had been charged from England to America; and that an acknowledgment of independency, or the total withdrawing of the military force, were the peremptory and only conditions held out by the former, upon which they would admit the opening of any negotiation. One of the gentlemen who was appointed in the commission, having served in the navy, on the American coast, and afterwards been governor of a province there, had formed considerable connexions, and an extensive acquaintance in that country; and he now hoped that these circumstances might be of essential service, by using them as means to facilitate the attainment of the great object in view. This seemed the more feasible, as his parliamentary conduct since that time, had

had been in such direct opposition to all those measures, which were deemed hostile or oppressive with regard to the Colonies, that it could scarcely fail of greatly increasing, instead of diminishing, any influence which he might then have acquired. Under these circumstances he deemed it reasonable to conclude, that the direct applications of friendship, under the covert and freedom of a private correspondence, together with the sanction of personal esteem and opinion, might operate more happily in smoothing or removing those difficulties which stood in the way of an accommodation, than the stiff, tedious, and formal proceedings of public negotiation. He was besides well aware, as indeed it was publicly avowed, that the Commissioners laboured under the capital impediment, of the Americans, with whom they were to treat, placing no manner of confidence in the faith or equity of the authority under which they acted; but that on the contrary, their distrust of administration had grown so long, and was become so rivetted and confirmed, that they suspected every proposal that was made, as held out only to circumvent; and as the mere offspring of duplicity and treachery. To remove this ill impression, would have been evidently an object of the utmost importance towards the opening of a negotiation, and the hope of entering into a treaty. But if the accomplishment of this appeared to be an impracticability, it did not seem a very unreasonable expectation, that the character which this gentleman had acquired in his political capacity, of being an avowed friend to the rights and

constitutional liberties of America, further strengthened and confirmed by the known principles of the opposition in general, with whom he had so long acted in parliament, might produce that necessary degree of confidence in a private, which unhappily could not be obtained in a public negotiation.

Under some of these, and perhaps other ideas, he endeavoured to commence or renew a private correspondence with several members of the Congress, and other persons of consideration. Thus in fact, endeavouring to establish a double system of negotiation; the one, ostensible, with the Congress at large; the other, unseen and private, with individuals whose influence might not only facilitate, but even in some degree direct, the proceedings of the former. Some of these letters, which have been published, seem rather of an unusual cast, considering the peculiar circumstances and situation of the writer. While, as a common friend to both countries, he pathetically lamented their mutual calamities, he seemed no way sparing in his censure of the conduct and measures on the side of government which led to the present troubles; nor did he any more support the justice of the original claims set up by the mother country, than he did the prudence or policy of endeavouring to enforce them. Upon the whole, he used a freedom with the authority under which he acted, not customary with those entrusted with delegated power, and afforded such a degree of approbation to the conduct of the Americans in the past resistance which they had made to it, as is seldom granted by negotiators to
[B] 2 their

their opponents. But it was perhaps not ill fitted to confirm that character of neutrality, which might have helped him to insinuate himself into the minds of the Americans.

However right the principles might be, upon which this insinuating scheme of conciliation was adopted, its effects were rather untoward; and the Congress affected to consider it in a very different point of view, from that in which it had been wished or intended to be placed. The first instance of this disposition that appeared, was in a resolution passed by the Congress, about a week after their first communication with the Commissioners. In this, after stating simply as a fact, and without any particular direction, that many letters addressed to individuals of the United States, had been lately received through the conveyance of the enemy, and that some of these were found to contain ideas, insidiously calculated to divide and delude the people; they, therefore, earnestly recommended to the governments of the respective states, and strictly directed the commander in chief, and other officers, to take the most effectual measures for putting a stop to so dangerous and criminal a correspondence.

This was followed by a resolution in the beginning of July, that all letters of a public nature, received by any members of Congress, from the agents, or other subjects of the King of Great-Britain, should be laid before that body. It need scarcely be doubted, that the contents of these objects of enquiry were already well known; but this measure afforded a sanction to the disclosure of pri-

vate and confidential correspondence, which was indeed necessary to lessen its odium, and at the same time held out authorized ground to the Congress, whereon to found their intended superstructure. Several letters being accordingly laid before them, a passage in one, from Governor Johnstone to General Joseph Reed, and in another, from that gentleman to Mr. Morris, together with an account given by General Reed, of a verbal message or proposal delivered to him by a lady, afforded an opportunity to Congress for entering into those violent measures, by which they interdicted all intercourse and correspondence with Mr. Johnstone.

The first of these exceptionable passages, went no farther than a sort of general proposition, that the man who could be instrumental in restoring harmony between both countries, would deserve more from all the parties concerned in or affected by the quarrel and reconciliation, "than ever yet was bestowed on human kind."—The second, in the letter to Mr. Morris, was more particular. After a complimentary declaration, of believing the men who conducted the affairs of America incapable of being influenced by improper motives, it, however, proceeds upon the subject of the negotiation in the following terms:—"But in
"all such transactions there is
"risque; and I think that who-
"ever ventures should be secured,
"at the same time that honour
"and emolument should naturally
"follow the fortune of those who
"have steered the vessel in the
"storm, and brought her safely
"to port. I think that Washington
"and the President have a right
"to

"to every favour that grateful nations can bestow, if they could once more unite our interests, and spare the miseries and devastations of war."

But the transaction in which the lady was concerned, afforded the principal ground for that indignation and resentment expressed by the Congress. This matter, as stated by General Reed, went to a proposal of engaging the interest of that gentleman in promoting the object of the commission, viz. a reunion between the two countries, in which event, he should receive an acknowledgment from government of ten thousand pounds sterling; together with any office in his Majesty's gift in the colonies. To which, Mr. Reed, finding (as he says) that an answer was expected, replied, that, "he was not worth purchasing; but such as he was, the King of Great-Britain was not rich enough to do it."

Aug. 11th. The Congress issued a declaration, 1778. including three resolutions, upon the subject, which they sent by a flag to the British Commissioners at New-York. The declaratory part contained a recital at length of those passages in the letters which we have taken notice of, together with the particulars of the conversation which had passed between Mrs. Ferguson, the lady in question, and General Reed. By the resolutions they determine, That the contents of the said paragraphs, and the particulars in Reed's declaration, cannot but be considered as direct attempts to corrupt and bribe the Congress of the United States of America. That, as they feel, so they ought

to demonstrate, the highest and most pointed indignation against such daring and atrocious attempts to corrupt their integrity.—And, "That it is incompatible with the honour of Congress to hold any manner of correspondence or intercourse with the said George Johnstone, Esq; especially to negotiate with him upon affairs, in which the cause of liberty and virtue is interested."

These proceedings drew out an exceedingly angry and vehement declaration from the gentleman in question; in which, whatever sufficient cause he had for indignation and resentment, the immediate operations of passion were, perhaps, rather too apparent. Those persons, and that body, which were lately held up as examples of virtue and patriotism to all mankind, and whose names seemed to be equalled with the most celebrated in antiquity; were now, not only found to be destitute of every virtue under heaven; but were directly charged with being the betrayers and destroyers of their country; with acting directly contrary to the sense and opinion of the people in general, and of sacrificing their dearest interests to the most unworthy and base motives; and with deluding their unhappy constituents, and leading them blindfold to irretrievable ruin. After charging the Congress with forgetting every principle of virtue and liberty, it creates no surprize that he declares himself indifferent as to their good opinion; nor that their resolution was so far from being a matter of offence to him, that he rather considered it as a mark of distinction.

With respect to the facts or charges stated by the Congress, they are neither absolutely denied, nor acknowledged, by Mr. Johnstone in this piece; he consequently does not enter into any justification of his own conduct; but declares a reservation to himself of the liberty, if he should think proper, of publishing, before he left America, such a justification, against the aspersions thrown on his character. He also seems indirectly to deny the charge, by attributing the resolutions to the malice and treachery of the Congress, who intended them only for the purposes of inflaming their wretched constituents to endure all the calamities of war, and as a means for continuing their delusion, thereby to frustrate all the good effects intended by the commission for the restoration of tranquillity. But to defeat their purposes in this respect, he declared, that he should for the future decline acting as a commissioner, or taking the smallest share in any business, whether of negotiation or other, in which the Congress should be any way concerned. It may not be unnecessary here to observe, that this gentleman afterwards absolutely disowned the particular transaction with Mr. Reed.

The tone of this publication, accorded but badly with the high and flattering eulogiums, which this gentleman had so lately bestowed on the Americans, in those very letters which were the subject of the present contest. In one of these, to Mr. Dana, is the following remarkable passage:—"If you follow the example of Britain in the hour of her pride, insolence, and madness, and refuse to hear

us, I still expect, since I am here, to have the privilege of coming among you, and seeing the country; as there are many men, whose virtues I admire above Greek and Roman names, that I should be glad to tell my children about." The same request, in equivalent terms, appears in a letter to Mr. Laurens, the president; and in that to General Reed, among other not dissimilar expressions are the following,—
 "Your pen and your sword have both been used with glory and advantage in vindicating the rights of mankind, and of that community of which you was a part. Such a conduct, as the first and superior of all human duties, must ever command my warmest friendship and veneration."

This piece from the Congress also drew out a declaration in answer from the other Commissioners, viz. Lord Carlisle, Sir Henry Clinton, and Mr. Eden; which went to a total and solemn disavowal, so far as related to the present subject, of their having had any knowledge, directly or indirectly, of those matters specified by the Congress. They, however, took care at the same time to guard effectually against any inference that might from thence be drawn, of their implying any assent to the construction put upon private correspondence by the Congress; or of their intimating thereby a belief, that any person could have been authorized to hold the conversation stated by that body. With respect to the charges and resolutions, so far as they related merely to their late brother commissioner, they did not

not think it necessary, they said, to enter into any explanation of the conduct of a gentleman, whose abilities and integrity did not require their vindication. They however gave a testimony from their own knowledge to the liberality of his general sentiments, and the fair and equitable principles upon which he had wished to restore the harmony, and to establish the union, between the Mother Country and the Colonies, on terms mutually beneficial.

But the great objects of this declaration, as well as of that issued by Governor Johnstone, and of other former and subsequent publications, were to defeat the effect of the French treaties, to controvert the authority of the Congress, with respect to its acceptance or confirmation of them, and to render the conduct of that body suspicious or odious to the people. For these purposes, having first laid it down as an incontrovertible fact, that an alliance with France was totally contrary to the interests of America, and must in its effects prove utterly subversive, both of her civil and religious rights, they then proceeded to demonstrate, that she was not bound in honour, nor tied down by any principle of public faith, to adhere to those treaties. In support of this doctrine, they endeavoured to establish as proof, that the French concessions owed their origin entirely to the conciliatory propositions of Great Britain. For that being well aware of the returning union, felicity and strength, which the lenient conduct of the crown and parliament would immediately introduce throughout the

British Empire, the court of Versailles, merely with a view of prolonging the troubles, and of rendering the Colonies instruments to Gallic ambition and perfidy, suddenly complied with those conditions, and signed those treaties, which she had before constantly and disdainfully rejected.

They then proceeded to examine the validity of that sanction which those treaties were supposed to derive, from the confirmation which they had since received in America; and endeavoured much to establish as a general doctrine and opinion, that the Congress had far exceeded their powers, both in that respect, and in their laying down unreasonable and inadmissible preliminaries, as an insuperable bar to their own proposed negotiation, and to defeat, without hearing or deliberation, all the amicable purposes of their mission. They insisted, that the Congress were not authorized or warranted, by their own immediate constitution, to take such decisive measures, and finally to pronounce upon questions of such infinite and lasting importance, without recurring to the general sense of the people, and receiving the opinion and instructions of their constituents, after a full and open discussion of the different subjects in their respective assemblies.

Upon this ground, they pointed all their artillery directly against the Congress; whom they charged with betraying the trust reposed in them by their constituents, with acting contrary to the general sense of the people, and with sacrificing their interests

and

24] ANNUAL REGISTER, 1779.

and safety, to their own ambitious views and interested designs. Indeed, however strange it may appear, there seems no doubt, that notwithstanding the repeated trials which the long continued, various, and extensive operations of the war had seemed to afford, of the disposition of the people in so many Colonies, the Commissioners themselves were fully persuaded, that a vast majority of them were firmly attached to the British government, and totally adverse to the rebellion. It is, however, to be considered, that all the information they could receive on the subject, was through the medium of men, whose minds were violently heated, by their sufferings, their losses, their hopes, their loyalty, and undoubtedly in many instances, by their private and party animosities.

The Congress, and those who wrote in their defence, and apparently with authority, controverted these positions, the inferences drawn from them, and the facts they were founded on. They first attacked the position which would naturally operate with most force upon the minds and opinions of men, viz. that the conclusion of the French treaties was entirely owing to the conciliatory propositions held out by the British parliament. This they asserted to be contradicted by facts and dates; and this point was strongly urged by the American popular writers, particularly Mr. Drayton, and the author of a celebrated publication, entitled, from the signature, *Common Sense*, who with great industry pointed out to the public, the defectiveness, incoherence, or contradic-

tion of the evidence. But not satisfied with apparently gaining this point, they undertook to prove the direct reverse of the proposition, and pretended to shew, that the British concessions, instead of being the cause, were the immediate effect, of the French negotiation and treaties. It was shrewdly observed in one of these publications, that the Commissioners, who now totally denied that the Congress had any power or authority to conclude the French treaties, had themselves proposed to enter into a treaty with that very body; and that the uncommon chagrin and disappointment which they openly avowed upon meeting with a refusal, was a sufficient testimony, how fully they were satisfied of its competence to that purpose.

In refuting what they asserted as errors of fact on the part of the Commissioners, some of these writers did not scruple to avail themselves of the same instrument, and asserted things which were not true, or which are at least highly improbable. Particularly, that to bribe the acquiescence of France in the ruin of America, that power was offered a cession of some considerable part of our East India possessions, and the same privileges and advantages on the Coast of Africa, which were enjoyed by the subjects of England.

Although the Commissioners did not expect that the facts or arguments stated in their declarations, would produce any serviceable effect in the conduct of the Congress, it was still hoped, that they would have operated powerfully upon the people at large. This source of hope being also at length

exhausted, and the Commissioners convinced by experience, that the design of detaching any particular province, or large collective body of the people, so far from the general union as to enter into a private or separate negotiation, was as fruitless, as the attempt of opening a treaty with the Congress in the name of the whole, had already proved ineffectual, determined totally to change their mode of conduct, and to denounce hostility and destruction, in their most terrific forms, to those who had rejected conciliation and friendship. The operations of terror might possibly produce those effects, which the smooth language of peace was found incapable of attaining: or, if the loss of America was inevitable, it was determined to render it of as little value to its present and future possessors as possible.

The partizans of the predatory scheme in England, from whom this idea seems to be taken, asserted, that the nature of the country exposed it more to the ravage of such a war as was intended or threatened, than perhaps any other upon the face of the globe. Its vast line of sea coast was indefensible by any possible means, against the efforts of a superior marine, accompanied by such a moderate land force, as would be necessary for the purposes of a desultory and exterminating war; and those numberless navigable creeks and rivers, which had in happier days conveyed commerce to every door, and spread plenty, independence, and industry, thro' every cottage, now afforded equal means and facility, for the carrying of sudden and inevitable de-

struction, home to the most sequestered fire-side. The impracticability of evading the dangers arising from situation was farther increased, by that mode of living in small, open, scattered towns and villages, which the nature and original circumstances of the country had prescribed to the inhabitants.

The Commissioners Oct. 3d. accordingly issued and 1778, published that signal valedictory manifesto and proclamation, which has since been an object of so much discussion at home and abroad; and which has afforded a subject, that was no less agitated in both Houses of the British Parliament, than in the American Congress.

In that piece, they entered into a long recapitulation of facts and arguments which had been generally stated in former declarations, relative to the French treaties, the conduct and views of the Congress, their criminal obstinacy in rejecting all proposals of accommodation, and their total incompetency, whether with respect to the conclusion of treaties on the one hand, or to their rejection on the other. With an enumeration of their own repeated endeavours for the restoration of tranquility and happiness to the people, and a review of the great advantages held out by the equitable and conciliatory propositions which they had made, they announce their intention of speedily returning to England, as, under the circumstances of treatment and rejection which they had experienced, their longer stay in America would be as inconsistent with their own dignity, as with that of the authority which they represented.

presented. They, however, held out during the remainder of their stay, the same favourable conditions, and should still retain the same conciliatory disposition and sentiments, which they had hitherto proposed or manifested.

The Commissioners then thought it necessary to inform and warn the people, of the total and material change which was to take place, in the whole nature and future conduct of the war, if they should still persevere in their obstinacy; more especially, as that was founded upon the pretended alliance with France. Upon this subject they expressed themselves as follows: "The policy, as well as the benevolence of Great Britain, had hitherto checked the extremes of war, when they tended to distress a people, still considered as fellow-subjects, and to desolate a country, shortly to become again a source of mutual advantage; but when that country professes the unnatural design, not only of estranging herself from us, but of mortgaging herself and her resources to our enemies, the whole contest is changed; and the question is, how far Great Britain may, by every means in her power, destroy or render useless, a connection contrived for her ruin, and for the aggrandizement of France. "Under such circumstances, the laws of self-preservation must direct the conduct of Great Britain; and, if the British Colonies are to become an accession to France, will direct her to render that accession of as little avail as possible to her enemy."

The first act of the Congress in consequence of this manifesto, was, a cautionary declaration or notice to the public, stating, that as there was every reason to expect, that their unnatural enemies, despairing of being able to enslave and subdue them by open force, would, as the last effort, ravage, burn, and destroy every city and town on that continent, which they could come at; they therefore strongly recommended to all those people, who lived in places exposed to their ravages, immediately to build huts, at the distance of at least thirty miles from their present habitations, whither they were to convey their wives, children, cattle, and effects, with all who were incapable of bearing arms, on the first alarm of the enemy,

So far, the policy of the measure was prudent and justifiable; but the following clause of this public instrument, however coloured by a display of humanity, confined merely to terms, towards its conclusion, or even covered under the pretence of being intended only to operate in terror, can scarcely escape condemnation, as being exceedingly reprehensible and unjust in its principle. The resolution is couched in the following words, viz. "That immediately when the enemy begin to burn or destroy any town, it be recommended to the people of these states, to set fire, to ravage, burn and destroy, the houses and properties of all Tories, and enemies to the freedom and independence of America, and secure the persons of such, so as to prevent them from assisting the

“ the enemy, always taking care,
 “ not to treat them or their fami-
 “ lies with any wanton cruelties,
 “ as we do not wish, in this par-
 “ ticular, to copy after our ene-
 “ mies, or their German, negro,
 “ and copper-coloured allies.”

This was followed, in about three weeks, by a counter manifesto on the part of the Congress, filled with bitterness and acrimony. In this they boast, that since they could not prevent, they strove, at least, to alleviate the calamities of war; had studied to spare those who were in arms against them, and to lighten the chains of captivity. In contrast to this portrait of their own conduct, they drew a hideous picture of those enormities which they attributed to the other side. They charge their enemy with having laid waste the open country, burned the defenceless villages, and having butchered the citizens of America. That their prisons had been the slaughter-houses of her soldiers, their ships of her seamen, and, that the severest injuries had been aggravated by the grossest insults. That, foiled in their vain attempt to subjugate the unconquerable spirit of freedom, they had meanly assailed the representatives of America with bribes, with deceit, and with the servility of adulation.

As a specimen of the spirit which inspired this piece, and the acrimony with which it abounds, we shall give the following passage in their own language—“ They
 “ have made a mock of humanity,
 “ by the wanton destruction of
 “ men: they have made a mock
 “ of religion, by impious appeals
 “ to God, whilst in the violation
 “ of his sacred commands: they
 “ have made a mock even of

“ reason itself, by endeavouring
 “ to prove, that the liberty and
 “ happiness of America could
 “ safely be entrusted to those who
 “ have sold their own, unwearied
 “ by the sense of virtue, or of
 “ shame.”

They conclude the piece with the following threat of retaliation.

“ But since their incorrigible dis-
 “ positions cannot be touched by
 “ kindness and compassion, it be-
 “ comes our duty by other means
 “ to vindicate the rights of hu-
 “ manity.”

“ We, therefore, the Congress
 “ of the United States of Ame-
 “ rica, do solemnly declare and
 “ proclaim, that if our enemies
 “ presume to execute their threats,
 “ or persist in their present career
 “ of barbarity, we will take such
 “ exemplary vengeance as shall
 “ deter others from a like con-
 “ duct. We appeal to that God
 “ who searcheth the hearts of men,
 “ for the rectitude of our inten-
 “ tions. And in his holy pre-
 “ sence we declare, that as we are
 “ not moved by any light and
 “ hasty suggestions of anger or re-
 “ venge, so through every pos-
 “ sible change of fortune, we will
 “ adhere to this our determina-
 “ tion.”

Thus, unhappily, did the second commission for the restoration of peace in America, prove as futile in the event as the former. Although it would be too much to affirm, that any proposal made by the commissioners, or any circumstances attending their mission, could have been productive of the desired effect, after the conclusion of the French treaties; it would however seem, that nothing could have been more untoward in point of time, and more subversive of the

the purposes of their commission, than the sudden retreat from Philadelphia, which took place almost at the instant of its being opened. However necessary this measure might have been, considered in a military view, the disgrace of a retreat, and the loss of a province, were undoubtedly omens very inauspicious to the opening of a negotiation. It has been publicly said, (however strange it must appear) that one of the commissioners, at least, was totally unacquainted, even at the time of their arrival, that this measure was not only intended, but that the orders for its execution actually accompanied their mission.

As if Fortune had designed, that this commission should have been distinguished in every part of its existence from all others, it was also attended with the singular circumstance, of a letter from the Marquis De la Fayette, (whose military conduct had placed him very high in the opinion of the Americans, as well as in their service) to the Earl of Carlisle, challenging that nobleman, as first commissioner, to the field, there to answer in his own person, and in single combat, for some harshness of reflection upon the conduct of the French court and nation, which had appeared in those public acts or instruments, that he and his brethren had issued in their political capacity. It is almost needless to observe, that such proposal, which could only be excused by national levity, or the heat and inexperience of youth, was rejected by the noble Lord to whom it was addressed, with the slight that it deserved.

Whilst New York, the Jerseys,

Pennsylvania, and the borders of Connecticut, had hitherto endured all the calamities of war, it fortunately, that the northern and southern, as well as the more interior colonies, enjoyed no inconsiderable degree of general tranquility. The early transactions in the neighbourhood of Boston, the attempt on Charlestown, Lord Dunmore's adventures in Virginia, with the subjugation of the Tories in North and South Carolina, being the principal exceptions to this observation. The continual petty hostilities carried on between the inhabitants of the two neighbouring weak colonies, of Georgia and East Florida, served, however, to keep the rumour of war alive to the southward; and an expedition undertaken in the spring of this year by a party of Americans, conveyed its effects to the Mississippi, and afforded no small cause of alarm, to the whole new colony of West Florida, which had hitherto been totally clear of the general tumult.

The expedition was, however, confined in its present effect to its immediate object, which only extended to the reduction of the British settlements in that country which had formerly belonged to a distinguished Indian nation called Natches; who many years before had fallen victims to European policy, the whole people having been perfidiously exterminated by the French. These settlements were under the government, and considered as a part of West Florida; but being too remote for protection, if it could even have been afforded, the inhabitants preserved their property by surrendering without resistance to a Captain

tain Willing, who commanded the American party, and who, although they were surprized and totally in his power, granted them every condition which they required, for their present and future security. It seems by the account, as if this party had fallen down the Mississippi by water; but from what place is not specified. It is probable, and seems in some degree confirmed by subsequent events, that the objects of this expedition were not confined merely to the reduction of the country in question, but were extended to the establishment of an intimate correspondence with the Spaniards at New Orleans, and to further views upon West Florida.

The state and circumstances of the war, as well as of the forces under his command, together with the winter season, which restrained, if it did not entirely shut up enterprize, in the northern and central colonies, afforded an opportunity to General Sir Henry Clinton, towards the close of the year, to direct his views to the southward. The recovery of the province of Georgia, although in itself neither great nor powerful, was in various respects a matter of the utmost importance. Its products were indeed considerable, and rendered more so, by their being greatly wanted. In particular, nothing could be more essential to the support of a fleet and army, at so great a distance from their principal sources of supply, than its staple commodity, rice, which was now dedicated to the service of our enemies, whether in Europe or America. The possession of this province would also, by presenting a new barrier to the enemy, re-

lieve East Florida from those constant alarms, incursions, and dangers, to which it had been so long exposed. And the two Florida's, with this, would all together form such an aggregate establishment of strength at the southern extremity of the continent, as could not fail greatly to influence the future operations and fortune of the war.

Important as these objects were, this acquisition held out one still greater. The southern colonies produced those commodities which were most wanted and most valuable in the European markets. France took off a prodigious quantity of their staple products; and the quiet and security which they had hitherto enjoyed, admitted so vigorous a cultivation, that their export trade seemed little otherwise affected by the war, than what it suffered from the British cruizers. Thus, in effect, the continental credit in Europe was principally upheld by the southern colonies; and they became the medium through which they received those supplies, that were not only indispensibly necessary to the support of the war, but even to the conducting of the common business and affairs of life. The recovery of Georgia, would not only put an end to that quiet and security upon which so much depended, but would open so wide a door into South Carolina, as could never be effectually closed whilst it was held by a vigorous enemy; at the same time, that the vicinity of Charlestown would constantly expose it to his enterprize, and that the fate of the whole colony inevitably hung upon that of the capital.

All these important consequences, and perhaps others, were fully compre-

comprehended by the General; and the time and season serving, he entrusted the conduct of the expedition in the land department, so far as it was undertaken from New York, to Colonel Campbell, a brave and able officer, whose misfortune of being taken with a part of his regiment on their passage to America, as well as his subsequent sufferings under a long confinement near Boston, we have formerly seen. The force appointed to act under this gentleman's command, consisted of the 71st regiment of foot, two battalions of Hessians, four of provincials, and a detachment of the royal artillery.

The transports, with this force, sailed from Sandy Hook, on the 27th of November 1778; being escorted by a small squadron of ships of war, under the command of Commodore Hyde Parker. In the mean time, instructions had been communicated to Major General Prevost, who commanded the troops in East Florida, to collect all the force that could possibly be spared, from the mere necessary defence of the fort and garrison of St. Augustine, and to second the views of the expedition, by a vigorous invasion of the province of Georgia on that side, and by even endeavouring to penetrate so far, as to be able to co-operate immediately with Colonel Campbell, in his intended attack on the capital town of Savannah.

It does not seem from any thing that appears, that the Americans were aware of the object of this enterprize; or, perhaps, the greatness of the distance, prevented their being able to take any measure for defeating its effect.

The fleet arrived at the island of Tybee, near the mouth of the river Savannah, in something under a month. On the following day, the Commodore, with the greater part of the transports, got over the bar, and anchored in the river, within the Light House of Tybee; but, from some unavoidable circumstances of delay, it was not until the 27th that they were there joined by the rest of the fleet. The commanders being totally ignorant of the force of the enemy, and of the state of defence which they were to encounter, seized this opportunity of delay, in endeavouring to procure intelligence. For this purpose, a company of light infantry, with a naval officer and sailors, were dispatched, in two flat boats, up one of the creeks, and had the fortune of seizing and bringing off two men, who afforded the most satisfactory information. The commanders were now acquainted, that the batteries which had been constructed for the defence of the river, had been so much neglected, as to be grown out of repair and condition; and, that there were very few troops in the town, but that re-inforcements were daily expected. They also gave such exact information, of the situation of two row galleys, which had been armed for the defence of the river, as afforded means after for cutting off their retreat, by any of those numerous creeks which intersect that country.

Upon this intelligence, the commanders determined to lose no time in the prosecution of their enterprize. Colonel Campbell had already seized the opportunity afforded by the delay, in making a
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new and advantageous arrangement with respect to part of his force. He had formed two corps of light infantry, which were drawn from the provincial battalions, and attached one of these to Sir James Baird's light company, of the 71st (Highlanders), and the other to Captain Cameron's company, of the same regiment. A measure excellently calculated, to transfuse the spirit, vigour, and confidence of veteran troops, equally inured to danger and to victory, to those who being yet raw, were diffident of their own powers, from mere ignorance of their effect.

Every thing being in due preparation, the Vigilant led the way up the river, on the 28th, being attended by the Greenwich and Keppel armed vessels, and followed by the transports, who formed three divisions, in the order established by the commanders for descent. At the same time the Comet bomb-galley was sent up the south channel, to prevent the enemy's row-gallies from escaping by the inland navigations. On finding that the battery on a place called Salters Island, was totally deserted by the enemy, the armed vessels pushed forward towards the intended landing place; but a number of the transports had grounded on the Flats by the way, which necessarily retarded for some time the landing. The activity and judgment of Captain Stanhope of the navy, who acted as a volunteer in this service, obviated this difficulty, as far as its nature would admit. Having undertaken the command of the flat boats, he embarked the whole first division of the troops with such celerity, that he joined the Vigilant with very

little loss of time, after she had taken that station which the shallowness of the water would admit, at about random cannon shot distance from the landing place. It was, however, then dark; and the enemy's fires shewing that they had taken post, and intended defence, the landing was deferred until morning.

The destined landing place was a post of great importance; exceedingly difficult of access; and which was accordingly capable of being easily put in such a state of defence, as might have effectually resisted a vast superiority of force. But it was the first practicable landing place on the Savannah river, the whole country between it and Tybee being a continued tract of deep marsh, intersected by the extensive creeks of St. Augustine and Tybee, besides a number of other cuts of deep water, which were impassable by troops at any time of the tide.

The first division of the troops, consisting of all the light infantry of the army, the New York volunteers, and the first battalion of the 71st regiment, under the conduct of Lieutenant Colonel Maitland, were landed at break of day. From the landing place, a narrow causeway of six hundred yards in length, with a ditch on each side, led through a rice swamp to one Gerridoe's house, which stood upon a kind of blunt and abrupt promontory, called in sea language a bluff, rising considerably above the level of the rice-swamp. The light infantry under Captain Cameron, being first landed, formed directly, and pushed forward along the causeway. As they approached the post they
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meant to attack; they received a smart fire of musketry; from a small party of about fifty rebels, to whom its defence had been committed. But the troops, incensed at the loss of their Captain, who had fallen by that fire, afforded them no time for charging again, so that they were almost instantly dispersed in the woods.

Thus, after so much time as the enemy had for preparation, so weak or confused were their counsels, that a most difficult landing place was secured to the army, and an open way gained to their capital, at no greater expence than the loss of one brave officer, with about half a dozen private men killed or wounded. Colonel Campbell, having taken a view of the country from Gerridoe's farm, discovered the rebel army, under Major General Robert Howe, drawn up about half a mile east of the town of Savannah, with several pieces of cannon in their front. He was prompted by this sight, the apprehension of their retiring unmolested and whole, and the length of service, which that early hour of the day promised to afford, to push forward with the troops already landed, and to expect the remainder as they could come up.

The commander in chief accordingly, having left a detachment to guard the landing place, advanced directly towards the enemy. When the army had passed a cross road, which intersected the great one leading to the town, the division of the Wiffenbach regiment was left to take post at that place, both in order to cover the rear, and to preserve

the communication with the landing place. The troops then advanced along the great road in the utmost security; a thick impenetrable wooded swamp covered the left of the line of march, and the light troops and flankers effectually scoured the cultivated plantations on the right.

From whatever caution or delay it happened, the troops did not reach the open country before three o'clock, at which time they halted within about a thousand yards of the enemy. The enemy were in appearance, and fancied themselves exceedingly strongly posted; and would in reality have been found so, had the British commander made the attack exactly in the manner they wished, and to which they had vainly directed all their views and expectation. They were yet to be instructed in one of the most obvious maxims of warfare, that the very causes which induced them to wish the attack to be made in a particular quarter, would, almost to a certainty, produce a contrary effect, and direct its operation elsewhere.

They were formed in two divisions on either side of the great road. Half their regular forces, consisting of two regiments of Carolina troops, under the command of Colonel Eugée, extended from the road, on their left, to a wooded swamp on their right, which was covered by houses defended with rifle-men. The other division of their regular troops, consisting of part of three Georgia battalions, under Colonel Elbert, with the road to their right, were covered on the left by rice swamps; being further strengthened by the fort of Savannah Bluff behind their left, which

which would have operated in attack as a second flank. The town of Savannah, encompassed with the remains of an old line of entrenchment, covered their rear. One piece of cannon was planted at the extremity of their line on the right, one on the left, and two pieces occupied the traverse, across the great road, in the center of their line. About 100 paces in front of this traverse, at a critical spot between two swamps, a trench was cut across the road, and about 100 yards in front of the trench, a marshy rivulet run almost parallel the whole extent of their front; and to render the passage still more difficult, they had destroyed the bridge which led over this brook.

Col. Campbell soon discovered, by the countenance, as well as the movements of the enemy, that they equally wished and expected that he should attack them on the left; and he accordingly omitted no means that could serve to cherish that opinion, and continue its delusion. For that purpose he ordered the 1st battalion of the 71st to draw off and form on the right of the road, and then marching up to the rear of the light infantry, that corps was drawn off still more to the right, thereby increasing the jealousy of the enemy for their left, and impressing a full idea, that he was in the act of extending his front to that quarter. The happiest effect of this manœuvre, however, was, that the light infantry had thereby got into a hollow ground, by which they were totally covered from the view of the enemy.

Fortune, the great friend to enterprize in war, and whose favours no prudent officer will ever deny, had thrown a negro into the hands

of the commander, whose intelligence he turned to the happiest account. This man knew a private path through the wooded swamp on the enemy's right, through which he promised to lead the troops without observation or difficulty. To profit the more effectually of this discovery, it happened that the hollow way, into which the light infantry had now fallen, continued winding all round the rear of the army until it joined the morafs and wood in question. Sir James Baird was accordingly directed to pursue the course of the valley with the light infantry, until he arrived at the path pointed out by his guide, by which he would be enabled to turn the enemy's right flank, and by a moderate circuit to fall in upon the rear of that wing. The New-York volunteers, under Colonel Tumbull, were ordered to support the light infantry.

During the course of this movement, the artillery were formed in a field on the left of the road, and concealed from the enemy by a swell of ground in front, up which it was intended to run them, as soon as the signal was made for action. From that commanding ground, they could either bear advantageously upon the right of the rebel line, or cannonade any body of troops in flank, which they might detach into the wood to retard the progress of the light infantry. An Hessian regiment was formed upon the left of the artillery.

During all this time, totally blind to their danger, the enemy continued to amuse themselves with their cannon, although a single fire was not returned; a circumstance,

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which, along with the stillness and immobility of the British troops, might have reasonably excited apprehension, distrust, and watchfulness. At length, Colonel Campbell, convinced that the light infantry had got effectually round upon their rear, suddenly brought forward the cannon, and commanded the line to move briskly on to the enemy. The well-directed fire of the artillery, the rapid advance of the 71st regiment, and the forward countenance of the Hessians, so overpowered the enemy, that they instantly fell into confusion, and dispersed.

In the mean time, the light infantry having arrived at the new barracks, which were full in the way they were making to the rear of the enemy, fell in unexpectedly with a body of the militia of Georgia, who were there stationed with artillery, to guard the great road from Ogechee; these were soon routed, with the loss of their cannon, and as Sir James Baird was in full pursuit of the fugitives, in his way to fall upon the main body, the terrified and scattered troops of the Carolina and Georgia brigades, came running across the plain full in his front. Nothing could exceed the confusion and rout that now ensued, when the light infantry, with the rapidity peculiar to that corps, threw themselves in headlong upon the flanks of a flying enemy, already sufficiently broken and confused.

No victory was ever more complete. 38 commissioned officers, 415 non-commissioned and privates, 48 pieces of cannon, 23 mortars, the fort with its ammunition and stores, the shipping in the river, a large quantity of provisions,

with the capital of Georgia, were all in the possession of the conquerors before dark. Neither the glory of the victory, nor the military renown arising from the judicious measures, and admirable manœuvres which led to it, could reflect more honour upon the commander in chief, than every other part of his conduct. His triumph was neither distained by an unnecessary effusion of blood, nor degraded by present or subsequent cruelty. The moderation, clemency, and humanity of all his conduct, will be considered still the more praise-worthy, when it is recollected, that he was under the immediate impression of such peculiar circumstances of irritation and resentment, as had not been experienced by any other British officer, who had borne command during the American war.

The loss of the Americans in slain was very small, considering the nature of the complete rout they had undergone. Only about fourscore men fell in the action and pursuit, and about thirty more perished in their attempts to escape through the swamp. The conduct of their commanders requires no observation. Every body will see they knew nothing of their business. Although the fugitives fled, and consequently led the pursuit, through the town of Savannah, and that many of the inhabitants were then in the streets, yet, such was the excellent discipline observed, that in that heat of blood, not a single person suffered, who had not arms in his hands, and who was not besides in the act either of flight or resistance. The commander having received some information, that the setting of the capital

pital on fire, in case of its loss, had been once a matter in contemplation with the enemy, took effectual measures to guard against that design, if still intended. No place in similar circumstances, ever suffered so little by depredation, as the town of Savannah did upon this occasion; even taking into the account, that committed by their own negroes during the darkness of the approaching night. A strong circumstantial testimony, that those enormities, so frequently attributed to the licence of the soldiers, should with much more justice be charged to the indefensible conduct of their superiors; whether by a previous relaxation of discipline, an immediate participation in the guilt, or a no less culpable sufferance of the enormity.

Through the activity and prompt union of the commanders in chief by land and sea, and the spirit and diligence of their officers, General Howe, with the broken remains of his army, was not only compelled to retreat into South-Carolina, but notwithstanding many impediments in their way, and some wants not easily remedied, particularly horses for their artillery, they, within less than a fortnight, had recovered the whole province of Georgia (excepting only the town of Sunbury) to the British government. In that time they had restored tranquillity every where, afforded protection to all who remained in or returned to their houses, established such posts as secured the whole line of frontier on the side of South-Carolina, and formed the well-affected, who came in with their rifles and horses, into a corps of light dragoons.

In the mean time, Major-General Prevost found no small difficulty in bringing together, from their scattered and remote cantonments, the small parties with which he was to make an impression on the side of Florida. The getting forward his artillery, stores, and provisions, as the enemy were masters of the navigation in general, both along the coasts, and on the greater waters inland, was no less difficult. In these operations, the troops underwent unusual hardships and distresses, which they bore with the most exemplary fortitude and temper; both officers and soldiers having been reduced to live for several days solely upon oysters, and enduring at the same time the greatest heat and fatigue, without complaint, despondency, or murmur. The major-general having at length brought forward a few pieces of artillery, suddenly surrounded the town and fort of Sunbury, on the frontiers of Georgia. The garrison, consisting of about 200 men, made some shew of defence, and gave the commander the trouble of opening trenches. But although they were supported by some armed vessels and gallies, yet all hope of relief being now totally cut off by the reduction of the rest of the province, they found it necessary to surrender at discretion. This happened just at the time, when Colonel Campbell, after the settlement of the interior country, had returned to Savannah, and was preparing to set out on an expedition for the reduction of Sunbury. The command devolved of course to General Prevost on his arrival at Savannah.

C H A P. III.

Island of Dominica taken by the Marquis de Bouille, governor of Martinico. State of the French fleet at Boston. Riot between the French and inhabitants. Desperate riot between the French and American sailors, in the city and port of Charlestown. M. D'Estaing sails from Boston for the West-Indies: having first issued a declaration addressed to the French Canadians. Admiral Byron's fleet driven off from the coast of New-England by a violent hurricane, which afforded an opportunity for the departure of the French squadron. British fleet detained at Rhode-Island, to repair the damages sustained in the tempest. Reinforcement sent from New-York to the West-Indies, under the conduct of Commodore Hotbom, and Major-General Grant: narrowly miss falling in with the French fleet: join Admiral Barrington at Barbadoes, and proceed together to the reduction of the island of St. Lucia: troops land, take the French posts in the neighbourhood of the Grand Cul de Sac: proceed to Morne Fortune and the Viergie. M. D'Estaing appears in fight, with a vast superiority both of land and marine force: attacks the British Squadron in the Grand Cul de Sac; and is bravely repulsed by Admiral Barrington, twice in the same day. French land their troops in Choc Bay: attack General Meadows three times in the Viergie; are repulsed every time, and at length defeated with great loss. Great glory obtained by the British forces, both by sea and land, in these several encounters. M. D'Estaing, after ten days longer stay, abandons the island of St. Lucia, without any farther attempt for its recovery. The Chevalier de Micoud, with the principal inhabitants, capitulate before the French fleet is out of fight.

GEORGIA was reduced in the manner we have seen. In other respects little was done; nor did the season permit much to be done in other parts of America. Whilst the war stagnated there, the loss of the valuable island of Dominica in the West-Indies, opened a new scene of action in that quarter. Complaints and representations had been long and repeatedly made by the West-India merchants and planters to administration, of the weak and exposed state of those islands, which seemed to be left to the mercy of their powerful European neighbours, without a military force for their defence, or a competent naval squadron for

their protection. Jamaica had been particular in these applications. The immense British capital necessarily lodged in that island, rendered it no less an object of concern in this country, than its great domestic property did to the owners of the soil. The great increase of troops, and the unusual military preparations in the French and Spanish settlements, afforded sufficient room to justify these apprehensions and representations.

This business was also frequently introduced in both Houses of Parliament by the opposition, who repeatedly warned the ministers of the danger to which our West-India possessions were exposed. They

They were generally answered in this instance, as in some others, by a repetition of the well-founded confidence reposed in the pacific disposition and good intentions of our neighbours. But the simple matter of fact, undoubtedly was, that our military force and provision by sea and land, were so completely swallowed up in the vortex of the American war, and the demands were still so incessant and urgent, that the sources of supply were constantly drained and exhausted, so that other objects, however important, were of necessity obliged to be committed, in a great measure, to the blind disposition of chance or fortune.

The island of Dominica was a part of those compensations, acquired by the treaty of Paris, for the expences of a war, very glorious indeed, but very burthensome. To these expences and glories, the whole of the cessions was not adequate. Considered independently of this comparative estimate, Dominica was an acquisition of no inconsiderable importance; and its situation, lying between Martinico and Guadaloupe, and within view of each, would have rendered it of the utmost importance in time of war. This circumstance seems to have been so well understood by government, that it went to a great and unusual expence in fortifying the island, and the works had been lately covered with a numerous artillery, sent for the purpose from England; but the garrison, if it could deserve to be called by that name, was totally incompetent to the defence of the one, or to the use of the other.

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weakness of the island, escaped the attention of the Marquis de Bouille, Governor-general of Martinico. He accordingly landed Sept. 7th. with about 2000 men, under the cover of some

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frigates and privateers, about day-break at Dominica, and proceeded to attack the different batteries and forts by land, as his marine force did by sea. The handful of regular troops, amounting only to about a hundred men, together with the militia and inhabitants in general, did all that could be expected against such a superiority of force, and under such circumstances of surprize. But the French having taken those detached and half-manned batteries which lay first in their way, and advanced by noon to attack the little capital of Roseau, by sea and land, which likewise comprehended the principal fortifications of the island, Lieutenant-Governor Stuart, with the military officers and council, seeing all defence fruitless, thought it necessary to save the inhabitants from plunder and ruin, by entering into a capitulation.

This was soon concluded. The terms were the most moderate that could be conceived; the Marquis de Bouille having nearly agreed, without discussion or reserve, to every condition that was proposed in favour of the inhabitants. Besides the honours of war, and the liberty of retaining their arms, with the fullest security to their estates, property of every sort, rights, privileges, and immunities, they were allowed to retain their civil and religious governments in all their parts, with all their laws, customs, ordinances, courts, and ministers of justice, until the conclusion

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clusion of a peace; and at that period, if the island should be ceded to France, they were to have it in choice, whether to adhere to their own political form of government, or to accept that established in the French islands. And in either event, such of the inhabitants as did not chuse to continue under a French government, were to be at liberty to sell all their estates real and personal, and to retire with their effects wherever they pleased. Other conditions of less importance, were equally favourable in their degree to the inhabitants; nor were they bound to any duty to the French King, more than what they had owed to their natural sovereign. In a word, a mere change of sovereignty was the only change in the condition of the inhabitants.

How much of the favour and lenity of these conditions may be attributed to the moderation and humanity of the Marquis de Bouille, how much to the policy of inducing the less resistance in other English islands, or how much to the apprehension of Admiral Barrington's arrival with a superior naval force from Barbadoes, are questions not to be absolutely decided upon. It is, however, equitable, to attribute just or humane actions to the most laudable motives, where the contrary does not appear from any strong concurrent or subsequent circumstances. The matter of fact is certain, that the smallest disorder or pillage was not permitted, and that the French commander, in lieu of plunder, rewarded the soldiers and volunteers with a considerable gratuity in ready money.

The French found 164 pieces of cannon, and 24 brass mortars, with a considerable quantity of military stores and ammunition in the works. The public effects, with the British vessels in the harbour, became a prize to the conquerors. The stay of the Marquis de Bouille in the island was very short; but he left a garrison of 1500 men behind him; which, with the strength of the works, and the powerful artillery in their hands, have hitherto unfortunately superseded all attempts for its recovery.

Many circumstances concurred in rendering the loss of this island grievous. The large sums expended upon its fortifications, and the numerous and weighty artillery sent out for its defence, indicated a full knowledge of its importance in case of a war. Its situation, on which this importance depended, equally pointed out the danger to which it was exposed, and that it must necessarily be the first object of the enemy's enterprize; whilst its naked works and valuable artillery, seemed held out as a prize, to direct and quicken their operations. To increase the vexation, Rear-Admiral Barrington, with two ships of the line, and some frigates, was lying at the small distance of Barbadoes, where he had been chained down for more than two months, waiting merely for instructions, which he had been ordered to expect at that place, and which, from whatever cause or misfortune, were not yet arrived. Small as this force was, it would have been fully sufficient, had time and his orders allowed it, for the preservation of Dominica, and the protection of the other islands for
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the present, as the French had not a single ship of the line in that quarter.

The defect of intelligence accompanied that of instructions, or orders how to act. A French document executed at Paris on the 28th of June, and published at Martinico in the middle of August, amounting, in effect, to a declaration of war in the West-Indies, afforded the first information of hostilities to Admiral Barrington, and to the neighbouring islands. The loss of two of Sir Peter Parker's frigates, which were taken by the French on the coast of Hispaniola, afforded also the first means of information to that admiral, as well as to the government of Jamaica, where he was stationed, of the commencement of hostilities.

As soon as Admiral Barrington received intelligence of the invasion of Dominica, he dispensed with the violation of his orders in that instance, and proceeded with the utmost dispatch to its intended relief. Although it was impossible he could prevent a conquest, which was only the work of a single day, the presence of his small squadron, however, had the happy effect, of removing the panic which had spread through the neighbouring islands, and of effectually curbing the further enterprizes of the enemy. The consequences of the loss of Dominica were experienced, both by sea and land, in the course of the operations of the ensuing West-India campaign.

As Mons. D'Estaing was now to bear a principal part on the West-India theatre of action, it will be necessary to take some notice of his situation and proceedings, from the time of our leaving him in the

harbour of Boston. Neither the care of the governing powers in that town, nor the ideas of benefits received, or to be derived, from the alliance with France, were sufficient, during the stay of the French fleet in that port, wholly to cure the ancient prejudices and hereditary animosity of the populace, with respect to a nation, which they had so long considered as a rival, and so frequently encountered as an enemy. The difference of religion, language, and manners, could not fail to hold a considerable share in keeping these animosities still alive; although, so far as it can be judged from appearances at this distance, the French have studied more in their commerce with the Americans, to evade the effect of these peculiarities, and have shewn a greater deference to the prejudices, and conformity to the manners and opinions of the people, than they perhaps ever practised in their connections with any other part of mankind. Indeed a mode of conduct directly contrary, has for many ages been considered, as one of the striking characteristics of that nation; and has, not unfrequently, been productive of the most fatal consequences to themselves, as well as to others.

However it was, a most violent affray, in which numbers on both sides were engaged, and the French seem to have been very roughly treated, happened at Sept. 13th. night in Boston. Some of the French were said to have been killed, and several were certainly wounded; among whom were some officers, and one particularly, of considerable distinction. As both D'Estaing and the government of Boston, were eager to accom-

accommodate matters in such a manner, as that no sting should remain behind on either side, a great reserve was observed with respect to the particulars of the riot, as well as of the circumstances which led to it; and the cursory imperfect sketches that were published, shewed evidently that they were not to be relied on.

A proclamation was issued by the council of state on the following day, strictly urging the magistrates to use their utmost endeavours for bringing the offenders to justice, and offering a reward of 300 dollars, for the discovery of any of the parties concerned in the riot. And to remove the impression of its arising from any popular animosity to the French, the Boston prints laboured to fix it upon some unknown captured British seamen, and deserters from Burgoyne's army, who had enlisted in their privateers. D'Estaing had the address to give into this idea, and to appear thoroughly satisfied with the satisfaction he received. The high reward produced no manner of discovery.

The same spirit operated just about the same time, and in the same manner, but much more violent in degree, and fatal in consequence, between the American and French seamen, in the city and port of Charlestown, South Carolina. The quarrel there began, as at Boston, ashore, and at night, and ended in the last extreme of hostility, an open fight with cannon and small arms; the French firing from their ships, whither they had been hastily driven from the town,

and the Americans from the adjoining wharfs and shore. Several lives were acknowledged to be lost, and a much greater number were of course wounded.

Mr. Lowndes, the president and commander in chief of that colony, in the proclamation which he issued upon the subject, sufficiently points out the causes of the quarrel, by charging the magistrates in the strongest terms, that, along with the discovery and prosecution of the rioters, they should use every possible means in their power to prevent, for the future, all indecent, illiberal, and national reflections, against the subjects of their great and good ally, as tending to excite resentment and ill-will among those, whom, by interest, treaty, and alliance, they were bound to regard as friends, and who were particularly entitled to their favour and affection. In his message to the assembly, he also strongly recommends the framing of such regulations, as would effectually prevent this licentiousness, whether in words or in actions: and that body considered the matter to be of so serious a nature, that they appointed a committee to revise the laws relative to seamen in that port, and to consider of effectual means for preventing and suppressing riots in the town. A reward of a thousand pounds was offered for the discovery of the particular persons, who had fired some guns, which were fatal in their effect, from one of the wharfs. We have not heard that this great reward produced any discovery.

As the northern Colonies, particularly the province of Massachusetts,

chufetts, do not produce wheat in any proportion at all equal to their own consumption, and that through the continual losses and dangers which their supplies from the southern experienced in their passage, together with some local causes, provisions of all sorts had for some time been so unusually scarce and dear in the town and neighbourhood of Boston, as nearly to threaten a famine, it was generally expected, and undoubtedly apprehended by himself, that D'Estaing would have encountered great difficulties, if not actual distress, from the impracticability of victualling, and the doubt even of subsisting, his fleet at that port. He was, however, relieved from these difficulties and apprehensions by a singular fortune. The New England cruizers happened at that very period to take such a number of provision vessels on their way from Europe to New York, as not only abundantly supplied the wants of the French fleet, but furnished such an overplus, as was sufficient to reduce the rates of the markets at Boston, to something about their usual moderate state. This fortunate supply was a matter of great triumph to that people.

Thus was D'Estaing
Nov. 3d. enabled to quit Boston, and to prosecute his designs in the West Indies, with a fleet thoroughly repaired, clean, well victualled, and his forces in full health and vigour. And thus it may be said, without any extraordinary stretch of licence, that to all appearance, a royal fleet owed its preservation, at least in a very great degree, to the industry and fortune of a few privateers.

Previous to his departure, D'Es-

taing had published a declaration, which was to be dispersed among the French Canadians, and was addressed to them in the name of their antient master, the French King. The design of this piece, and an object which was much laboured in it, was to recall the affection to their antient government, and to revive all the national attachments of that people, thereby to prepare them for an invasion either from France or America, and to raise their expectation and hope, to no distant change of masters. For these purposes they were applied to and called upon, by all the endearing and flattering ties of country, blood, language, common laws, customs, religion, by their former friendships, antient glory and fellowship in arms, and even by their common participation in the dangers and misfortunes of the last war. To touch the vanity of a people exceedingly prone to it, they were flattered by reminding them, of those peculiar military honours, distinctions, and royal decorations, which would have been the glorious rewards of their prowess in the French service; from which they had been so long debarred, and which were held so dear by all their countrymen. They were taught to consider the French and Americans as equally friends, and almost as one people; whose invasion of Canada, whether jointly or separately, instead of conveying hostility or desolation to them, would be undertaken only to free them from the yoke of foreigners, dwelling in another hemisphere; a people differing wholly from them, in religion, manners, in language, and every thing; whose jealous and despotic govern-

government, would sooner or later treat them as a conquered people, and undoubtedly much worse, than they had done their own late countrymen the Americans, to whom they owed their former victories. Their future condition, in the event of this proposed emancipation from the government of Great Britain, was left almost entirely in the dark; although some faint and distant allusion was held out, to a similar state of freedom with that possessed by the British Colonies. This was a tender and jealous subject, and the French commander thought it prudent to leave it involved in obscurity. He seemed not altogether authorized to give up the idea, of the restoration of Canada to the dominion of France; but he was aware, that an avowal of those sentiments, might have been yet imprudent with respect to that people, and would have been disgusting and alarming in the highest degree to the Americans. He, however, assured the Canadians, in the name of the French King, that all his former subjects, who should relinquish their dependence on Great Britain, might depend on his support and protection.

Admiral Byron had arrived at New York from Halifax in the middle of September; but so much had his Squadron suffered in their unfortunate voyage from England, that although the greater part of them had arrived long before him at that port, yet it was a full month before he was enabled to sail again, in order to observe M. de Eftaing's motions. The same unfortunate disposition of the weather, which had alrea-

dy produced such unhappy effects, seemed still to persecute that commander. He had scarcely appeared before Boston, when he was driven off the coast by a violent hurricane, in which the ships again suffered so much, that they were glad to get into shelter at Rhode-Island. This afforded the opportunity to D'Eftaing, which he immediately embraced, of quitting Boston; whilst the damage now sustained, together with the continuance of bad weather, again cramped the operations of the British Squadron in such a degree, that it was not until the 14th of December, that Admiral Byron was able to set out in pursuit of him to the West Indies.

In the mean time, as the state of the war, as well as the mode of conducting it, were now greatly altered from what they had been at former periods, and General Sir Henry Clinton being sensible, that no essential service could be undertaken by the army at New York during the winter, and being also apprehensive of the danger to which our West India islands were exposed, determined upon sending such a force to that quarter, as would be at once equal to the protection of our friends, and to the annoyance of the enemy. He accordingly dispatched several regiments of those veteran, and perhaps unequalled troops, who had so long braved every variety of climate and danger in America, to encounter along with a new enemy, all the rage of the tropical suns in the West Indies. This detachment, consisting of about 5,000 men, was placed under the command of Major General Grant; and the trans-

transports, amounting to sixty, were conveyed by Commodore Hotham, with five men of war, a bomb-vessel, and some frigates.

It was remarkable, that they sailed from Sandy Hook, on the very day that D'Estaing departed from Boston, and that the two fleets were very near each other, both steering the same course, and in parallel lines, during some part of the passage, without any knowledge, on either side, of their relative situation. A violent gale of wind, in which both fleets were equally involved, and the French greatly dispersed, probably saved the British convoy from the danger of encountering so unequal a force. Commodore Hotham had the fortune and ability, to keep his fleet, which was so much more numerous, whole and together during that storm; to get the start of D'Estaing; and to arrive without the smallest loss Dec. 10th at Barbadoes; where he joined Admiral Barrington, before Mr. Byron had been able to depart from Rhode Island.

An expedition, without suffering the troops to land, was immediately undertaken from Barbadoes, for the reduction of the island of St. Lucia; an adventure attended with great and unforeseen peril; but which, in the issue, was productive of no less glory to the commanders and forces both by sea and land, and of the greatest advantage in all the ensuing operations of war. The reserve of the army, consisting of the 5th regiment, with the grenadiers and light infantry of the whole, under the command of Brigadier General Meadows, were landed at the

grand Cul de Sac, in the island of St. Lucia, on the 13th, in the evening. That officer, with his detachment, immediately pushed forward to the heights upon the north side of the bay, which were occupied by the Chevalier de Micoud, the French commandant, with the regular forces and militia of the island. These posts, although very difficult of access, he soon forced; having taken in the conflict, a field-piece with which the enemy fired upon the boats that were conveying the troops to the shore, and a four gun battery, which greatly annoyed the shipping at the entrance of the harbour.

While this was doing, Brigadier General Prescott had landed with five regiments, with which he guarded the environs of the bay, and at the same time pushed on his advanced posts, so as to preserve a communication during the night with the reserve. As soon as the morning appeared, the reserve, followed and supported by General Prescott, advanced to the little capital of Morne Fortune, of which they took possession. The Chevalier de Micoud made the best defence he was able; but was compelled by the superiority of force to retire from one post to another, as the British troops still pressed forward. As the reserve advanced, General Prescott took possession of the batteries and posts in their rear; and with an unexampled degree of caution and industry, in a contest with so weak an enemy, was indefatigable in immediately supplying them with artillery-officers, and men, establishing communications and posts for their support, and putting them

them in the best state of immediate defence, which the shortness of the time could possibly admit.

Whilst these measures of security were carrying into execution, General Meadows pushed forward under the heat of a burning sun, and took possession of the important post of the Vierge, which commanded the north side of the Careenage Harbour; and Brigadier General Sir Henry Calder, with the four remaining battalions, guarded the landing place, kept up the communication with the fleet, and sent detachments to occupy several posts upon the mountains, which looked down upon and commanded the south side of the grand Cùl de Sac. A measure which soon after contributed not a little to the preservation of the fleet and army, from a danger then totally unknown.

Celerity in execution, and prudence in securing and immediately turning to account every advantage obtained in war, were never more necessary, nor ever more eminently displayed, than upon this occasion. It affords an useful lesson in a striking instance, that nothing should ever be committed to chance in warfare, which any industry could secure from so doubtful a decision. The force under the Chevalier de Micoud did not seem to demand much jealousy or caution; and no other enemy was apprehended; yet every measure of security was practised, which the presence of a powerful, and even superior foe, could have induced. The event proved the wisdom of the conduct.

The last French flag, on those posts which were in sight among

the neighbouring hills, was scarcely struck, when M. D'Estaing, with a prodigious force, appeared in view of the fleet and army. Besides his original squadron of twelve sail of the line, and those ships of great force and weight of metal, he was now accompanied by a numerous fleet of frigates, privateers and transports, with a land force, estimated at 9,000 men. Of the latter, he had brought no inconsiderable part on board his ships from France; the rest were composed of regulars and volunteers from the different French islands, who, as well as the transports and cruizers, had been collected in readiness to join him at Martinico, being intended for the immediate reduction of the Granades, and of the island of St. Vincents; but with the farther view, and no doubtful expectation, of completely sweeping all the British leeward settlements. In his way, on that expedition, M. D'Estaing received intelligence of the attack on St. Lucia; a circumstance which he considered as the most fortunate that could have happened, it seeming to afford the means of throwing the whole British force by sea and land, an easy prey, into his hands. It must be acknowledged, that if he had arrived 24 hours sooner, it seems, in all human probability, that this must have been the inevitable event. As it was, the day being far advanced, D'Estaing deferred his operations until the ensuing morning.

It will be necessary here to take some notice of the scene of action; and of the situation of the British forces; not considering the ship-

shipping as they lay at the unexpected appearance of the French fleet; but in that state in which the unremitted labour and industry of a night had placed them, in order to withstand so vast a superiority of force on the following day. The fleet were in the most southern inlet, called by the French the Grand Cul de Sac, the transports filling the interior part of the bay, and the ships of war drawn up in a line across the entrance; and that was still farther secured, by a battery on the southern, and another on the northern opposite points of land. The Careenage Bay, which led up towards Morne Fortune, lay between two and three miles to the northward of the Grand Cul de Sac; and the Peninsula of the Viergie, occupied by General Meadows, formed the northern boundary of the Careenage, and covered its entrance on that side. Choc Bay, and Gros Islet Bay, lay still farther north.

Admiral Barrington had intended, upon General Meadows taking possession of the Viergie, to have removed the transports into the Careenage Bay, as a place of much greater security than the Cul de Sac; but was prevented by the sudden appearance of the French fleet. The Cul de Sac being thus considered as a mere temporary lodging, the idea of an immediate removal prevalent, and no apprehension of an enemy entertained, it will be easily conceived, that the night called forth all the powers and industry of that able officer, in getting the transports warped into the bottom of the bay, to be as remote from danger as possible, and the ships

of war brought into their respective stations, so as to form a line effectually to cover its entrance. His force consisted only of his own ship the Prince of Wales, of 74 guns, the Boyne of 70, St. Albans, and Nonfuch, of 64, the Centurion and Isis, of 50 each, and three frigates. Such was the weak squadron, with which the admiral, with the most determined countenance and resolution, waited the encounter of so vast a superiority of force. His own ship, the Prince of Wales, took the post of honour and danger, on the outward and leeward extremity of the line; the Isis, supported by the frigates, who flanked the passage between her and the shore, was stationed in the opposite and interior angle to windward.

However odd it may appear, it seems as if the Count D'Estaing was not yet sensible, that the British forces had extended their operations so far, as to have taken possession of the Viergie, and other posts adjoining to the Careenage; for under this apparent delusion, his first motion in the morning, was to stand in with his whole fleet of ships of war and transports for that bay. But a well directed fire, which his own ship the Languedoc received from one of those batteries that had so lately changed masters, soon convinced him of his mistake. The French were apparently much disconcerted at this unlooked for circumstance; and not only immediately bore away, but seemed for a time totally at a loss how to act. At length, after much evident hesitation, the admiral bore down with ten sail of the line up-

on the British Squadron. A warm conflict ensued; but they were received with such gallantry by the admiral and commanders, and such coolness, resolution and firmness, by their brave officers and men, who were also well supported by the batteries from the shore, that they were repulsed, and found it necessary to draw off.

Time being now taken for somewhat of a new disposition, D'Estaing renewed the attack at four in the afternoon, with twelve sail of the line. He now directed his efforts more to the right, from the leeward point of the British line to its center, by which the Prince of Wales underwent rather more than a due proportion of the weight of the action. This attack was better supported, and longer continued than the first. The French cannonade was exceedingly heavy, and its whole weight concentrated within a narrower direction than before; but neither the change of position, nor the additional force, were capable of rendering this effort more successful than the former. After a long and warm engagement, the French fleet fell into evident confusion and disorder, and retired from action with apparent loss, without their having been able to make the smallest effective impression on the British line.

No naval engagement, however great in its extent, or decisive in its consequences, could afford more glory, than the British admiral, and his brave associates, derived from these two actions.

On the following day, Dec. 16th M. D'Estaing seemed to shew a disposition to hazard a third attack; but after several

motions strongly indicating that design, it was at length evidently abandoned, and the whole fleet plied up to windward, and anchored in the evening off Gros Islet, about two leagues to the northward.

That night and the following morning were spent by the French commander, in landing his troops in Choc Bay, which lay between Gros Islet and the Careenage. That time was also employed by the British Admiral in preparing for every possible future event; in warping the ships of war farther within the bay, thereby to render the line more compact and firm, and in constructing new batteries on those points of land which covered the entrance. The close connection, equal participation of danger and service, with the mutual dependence, now subsisting between the land and naval departments, united the whole so closely, that they seemed to form but one solid and compact body; and this being farther cemented and confirmed by that admirable harmony which prevailed between the commanders and officers on both sides, served altogether, to spread so high a degree of confidence, hope, and spirit, through the army and fleet, that they totally forgot the vast superiority of the enemy, the precariousness and danger of their own situation, and seemed insensible to such continual duty, fatigue, and hardships, as would, in other circumstances, have appeared intolerable.

The country which was now the scene of action, being among the most difficult and impracticable, whether with respect to its face, or to the climate, in which

it would seem that war could in any manner be conducted, it is not easy to describe, and it is still harder clearly to comprehend, the complicated situation of the British posts. The country presented no regular face, but a broken and confused congeries of steep and abrupt hills, scattered among greater mountains, every where intersected by narrow winding vallies, deep defiles, and difficult gullies. General Grant, with the bulk of the forces, consisting of the brigades of Prescott and Calder, occupied all the strong-holds among the hills on either side of the Grand Cul de Sac; and commanded by several detached posts, the ground that extended from thence to the Careenage, which lay at about two miles distance. A battery on their side, and at the south point of the Careenage, with another on the opposite point of the Viergie, defended the entrance into that bay, and, as we have seen, checked the attempt of the French fleet in their design to attain that object. The brigades were also possessed of two other batteries, near the bottom of the bay, where it narrows into, or is joined by a creek, which passing Morne Fortune, cuts the country for some way farther up. These batteries were covered in front by the creek, and commanded, in a considerable degree, the land approaches to the Viergie.

Thus, General Meadows, who with the reserve, was stationed, and it may be said, shut up, in that peninsula, was by distance and situation, as well as that decided superiority, which the numbers of the enemy enabled them to maintain, in all the parts of

whatever service they undertook, totally cut off from the support of the main body, any farther than what might be derived from those batteries we have mentioned. He was indeed in possession of very strong ground, but there were circumstances to counterbalance that advantage. A retreat, however pressed or overpowered he might be, was impossible; and the very circumstance of situation which afforded strength to the peninsula in one respect, rendered it liable to danger in another, as he was exposed to a landing and attack from the sea in the rear, at the very instant that he might have been desperately engaged, or perhaps overborne, in the front. But he was obeyed by men, who might have inspired confidence in a commander much more disposed to despondency. For although they amounted only to about 1300 in number, they were composed, besides a veteran regiment, of a part of those brave and hardy light troops, who had borne so distinguished a share, in all the most active and dangerous service of the American war.

Upon the whole, with troops of another cast and character, even without supposing them to be by any means contemptible, the situation, notwithstanding its advantages, would have been found more than perilous. The critical situation of the fleet and army, with the vast importance of that post, and of the Careenage, which depended on it, cut off, however, every imputation of rashness, from whatever hazard might be encountered in their preservation.

The effect of those judicious positions which had been taken by
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the British troops on their first landing, became now fully evident to both armies. Nor was the chagrin and disappointment of the French greater, upon the failure of their attempt to gain the Careenage Bay, than it was after their landing, when they discovered that Sir Henry Calder's brigade were in possession of the mountains on the south side of the Grand Cul de Sac. For the bombarding of the British fleet, from those heights, which so effectually commanded that bay, was the first great object in view in their landing; which, from the strong positions taken by that brigade, was now totally unattainable, at any less price, than that of a general engagement by sea and land; an issue to which the French were not yet at all disposed to bring matters.

Upon a full view and consideration of those circumstances which we have stated, as well as of others, the French commanders determined to direct their first effort separately against General Meadows, and to attack the peninsula, at the same time, by land and sea. For the first of these purposes, 18th.

about 5,000 of their best troops were drawn out, and advanced in three columns to attack the British lines, which were drawn across the isthmus that joins the peninsula to the continent. That on the right was led by the Count D'Estaing, the centre by M. de Lovendahl, and the left column, by the Marquis de Bouille, governor of Martinique. The remainder of their troops were kept disengaged, to watch the motions of Prescott's brigade; and to check

any attempt they might make to succour General Meadows.

On the near approach of the columns, they were enfiladed with great effect, by those batteries which we have taken notice of, on the south of the bay. But notwithstanding this impediment, they rushed on to the charge, with all that impetuosity which is characteristic of their nation. They were received with a coolness, steadiness, and immoveable firmness, which even exceeded the expectation of those, who were most versed in the temper and character of their enemy. The French troops were suffered to advance so close to the entrenchments, without opposition, that the British front line fired but once, and then received the enemy on the bayonet. That fire, had of course, a dreadful effect; but the French, notwithstanding, supported the conflict with great resolution, and suffered extremely before they were entirely repulsed. It is said, that seventy of the enemy were killed within the entrenchment on the first onset.

As soon as they had recovered their breath and order, they renewed the attack with the same eagerness and impetuosity as before; and were again encountered, with the same determined resolution and inflexible obstinacy. Although they had suffered severely in these two attacks, they again rallied, and returned to the charge the third time. But the affair was now soon decided. They were totally broken, and obliged to retire in the utmost disorder and confusion, leaving their dead and wounded in the power of the victors.

tors. They were, however, in consequence of an agreement entered into, almost immediately after, permitted to bury the one, and to carry off the other; M. de Estaing having rendered himself accountable for the wounded as prisoners of war.

The diversion attempted by sea produced so little effect, as not to deserve any particular notice. Nothing could exceed the dispositions made upon this occasion by General Meadows, nor surpass his conduct in any of its parts. He was wounded in the beginning of the action; but could neither be persuaded by his surgeons to quit the field, nor to admit of their assistance in it, until the affair was decided. It would be needless to make any observation upon the behaviour of his officers and troops. Where all were brave, little notice could be taken of individuals. Major Harris, who commanded the grenadiers, and Major Sir James Murray, at the head of the light infantry, had, from their commands, an opportunity of being more particularly distinguished. It would seem upon the whole, as if there had been a jealous emulation in danger and glory between the land and the naval departments, and that Fortune had taken care to share the palm so equally, that the contest should still remain undecided.

The loss sustained by the French, exceeded any thing that could have been supposed or apprehended, whether from the numbers engaged, or from the duration of the action. No less than 400 men were killed upon the spot; 500 were so desperately wounded as to be rendered in-

capable of service; and 600 more were slightly wounded; the whole amounting to a number considerably superior to that of the enemy whom they had encountered. The loss of the victors, was comparatively as small, as that on the side of the vanquished was great, and beyond usual example; and it cannot but excite astonishment, that although a good many were wounded, not a single British officer should have lost his life in such an action.

M. D'Estaing continued, in a state of seeming irresolution, for ten days longer on the island, without forming any apparent plan for its recovery, or making the smallest farther attempt by sea or land; notwithstanding the vast superiority of his marine force; which was hourly increased (if such may be considered as an aid) by the number of French and American privateers, which flocked from all quarters, to partake of the spoil; if not of the glory of the enterprise. He, however, at length, found himself reduced to the necessity, of relinquishing a contest, which had proved to exceedingly barren both of profit and honour. He accordingly embarked his troops on the night of the 28th, and on the following day, abandoned the island to its destiny. As if it were to crown the climax of his mortifications, he was not yet out of sight, when the Chevalier de Micoud, with the principal inhabitants, offered to capitulate; and although they were now totally deserted, and left solely at the mercy of the victors, very favourable conditions were granted to them.

C H A P. IV.

State of public affairs during the recess of parliament. Address and petition from the city of London. Militia embodied. Camps formed. Admiral Keppel appointed to the command of the grand fleet for the home service. Peculiar situation of that commander. Fleet sails from St. Hellens. Licorne, French frigate, stopt and detained. Blameable conduct of the Captain, in firing unexpectedly into the America man of war. Desperate engagement between the Arethusa, and the Belle Poule, frigates. French schooner, bravely taken by the Alert cutter. Another French frigate falls in with the fleet; and is, with the Licorne and schooner, brought to England. Fleet returns to Portsmouth for a reinforcement. Rewards and bounty of the French King, to the officers and crew of the Belle Poule. Admiral Keppel sails again from Portsmouth. Falls in with the French fleet under the Count d'Orvilliers; and after a chase of five days, brings them at length to action. Account of the engagement on the 27th of July. View of those circumstances which were supposed to have prevented that action from being decisive. French fleet escape in the night, and return to Brest. Prudent and temperate conduct observed by the Admiral. Returns to Plymouth to rest. Proceeds again to sea, but cannot meet the French fleet.

FROM these scenes of distant hostility, it is time we should direct our attention nearer home, and take a view of those immediate measures pursued by Great Britain, to extricate herself from the difficulties of that new, singular, and perilous situation, in which she had so unfortunately been involved. A situation, indeed, more singular and perilous, could scarcely be traced in history.

Weakened and distracted by a domestic contest, which equally consumed her strength and resources; in which victory was attended with consequences, that were always of equivocal advantage, and defeats produced the whole of their natural effects; while the balance of fortune in that single contest was yet so doubtful, that the inability of reducing her revolted colonies, was

held out as an ostensible and sufficient cause for considering and treating them as independent and sovereign states; in the midst of this critical struggle, we see Great Britain suddenly involved in a new and much more dangerous war, without any mitigation of the old; we behold her engaged with her antient rival and hereditary enemy; with one of the most mighty and most warlike powers in Europe, rendered still more dangerous by his vicinity; and in this double warfare with old friends and old enemies, not only bereaved of her natural strength, but a great part of it turned against her, she is left alone to endure the unequal combat, abandoned by all mankind, and without even the pretence of a friend, or the name of an ally in the world.

Such

HISTORY OF EUROPE. [51

Such was the unfortunate situation, such the calamitous picture, which Great Britain exhibited in the year 1778. So awful a crisis; so perilous a state of public affairs; demanded those supreme degrees of wisdom in counsel, and of efficacy in action, which are so seldom united with each other, and which are still more rarely united with true patriotism. If such situations are sometimes blest with the extraordinary good fortune, of calling forth great talents from inertness or obscurity, it much more frequently happens that they produce a totally contrary effect. For the vastness of the occasion is too liable to dazzle, to bewilder, and to confound, that useful mediocrity of talents and abilities, which, however unequal to the situation, is exceedingly well calculated for the common conduct and purposes of mankind.

However it was, or from whatever causes it proceeded, whether from a fluctuation or discordance of opinions, disagreement in temper and views among the ministers, whether from the want of any previous or established system, or that the flattering ideas of some partial or general accommodation, still interfered with and counteracted all other modes of proceeding, so it was, that some appearance of irresolution and indecision, which at that critical period prevailed in the counsels and measures of Great Britain, was so palpable, as neither to escape the observations of friends or of enemies. Notwithstanding repeated causes of alarm, we seemed to be taken by surprise. The language of the court, as soon as it could collect itself, was sufficiently firm; and seemed in-

spired by a spirit of vigour suited to an occasion which called for efforts of an extraordinary kind. It was rather even the tone of indignation and vengeance, than mere constancy and resolution. But this spirit very soon evaporated; and nothing was talked of in a war of conquest and vengeance but self-defence:

The enemies of ministry were loud on this occasion. They said, that by this timid plan, neither suited to the emergency, nor to the language held upon it, the opportunity was lost, by some sudden, great, and signal blow, of reviving our antient name and character; and of inspiring that reverence to our national vigour and military prowess, which it was so necessary for us to maintain and establish with other nations, whether friendly or inimical, at the outset of such a war.

It was supposed, that a double scheme of partial accommodation, the one part avowed, and the other secret, and founded upon systems directly opposite, was about that period prevalent, and had no small share in influencing the conduct of public affairs. The first part of this scheme was founded on the idea of detaching America, through the intervention of the Commissioners, from the alliance with France. Nothing could possibly have been more essential to the interests, the reputation, and to the grandeur of Great Britain, than the success of this measure. France would then have been left to encounter all her force alone, which, if properly directed, she was yet by no means capable of enduring.

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The event of that part of the scheme we have already seen. The second, was that of detaching France from America; and consequently leaving the latter exposed to that resentment, which in the other instance, would have been directed against the first. Although this part of the scheme, even supposing it capable of success, could not stand in any degree of real comparative value with the former, yet it held out certain flattering ideas, which might even render it, in some degree, a favourite. For the dereliction of America by France, would have left the former open, and now totally hopeless, to that complete and final subjugation, or unconditional submission, which had so long been the great object of court and ministers. But this scheme seemed from the beginning hopeless, though it for a while entertained the imaginations of many. Great Britain had no bribe of sufficient magnitude to purchase from France this dereliction of her object. If such could have been offered, and offered with effect, it must have been before the conclusion of the treaty: but the treaty was concluded.

Every part of the conduct of France from the commencement of the American troubles, either tended directly, or but ill disguised her design, to bring matters to the present crisis. To the period of that treaty, however, her policy lay open to the influence of circumstances, and her conduct was, and undoubtedly would have been in any case, governed by them. But when once she had taken the decided and dangerous part, of publicly avowing her sentiments

and views, and of openly binding herself in the face of the world to the performance and support of those treaties which she had concluded with the Americans, it was then not only evident that she had gone too far to recede, but that she had also chosen her ground, and was fully disposed and determined to abide the consequences. So that every hope founded upon her change of system, seemed little better than visionary.

There were some strong indications, that a third, and more comprehensive scheme of pacification than either of the foregoing, was at one time in agitation. This was no less, than the conclusion of an immediate peace and alliance with the Colonies, under the acknowledgment of that independence, which it was laid down as a principle, they had already virtually and irretrievably obtained, and thereby cutting off at one stroke, every cause of war, and of dispute with America. In that case, if a plan of prudence, not very glorious, had been pursued, there was an end of the quarrel both with America and France. If the reduction and punishment of France was the object, the war against her might be pursued with undissipated force. On the very day of the delivery of the French rescript, a paper to that purpose, written by an old and strong advocate for the American war, was delivered at the doors of the two Houses.

If this scheme ever had any substantial being in the ministry, it was, however, but of short duration; and was so far from being brought forward, or any more heard of in that quarter, that when pro-

propositions of a similar nature, were soon after made by the opposition in both Houses of Parliament, and strongly supported, on the ground both of expedience and necessity, they were violently opposed, and accordingly over-ruled (as we have formerly seen) by the ministers.

To some such variety of opinions, with respect to the means of accommodation, the grand questions of peace and war, and the mode of prosecuting the latter, may probably be attributed those appearances of fluctuation, and indecision, which, at that period, were so strongly and repeatedly charged, as the characteristic marks of our counsels and measures. And to such causes must be attributed, the reception of the report, of a reproach said to be thrown out by the French minister, at the moment of his departure from London, viz. "That the British counsels were so totally undetermined and indecisive, in every matter, whether of public or private concern, that he never could get a positive answer from the ministers, upon any business, whether of small, or of the highest importance."

On the very day March 13th, that the French re-
1778.

script had been delivered to the Secretary of State, an address and petition from the City of London, praying for the adoption of such measures as would most forward the restoration of internal peace, tend to rescue public affairs from unwise and improvident management, and obtain, improve, and secure, the returning confidence of the people, was presented to his Majesty. This

piece, which was of unusual length, and a masterly composition in point of writing, contained, in the most qualified language, and the most guarded and respectful terms, a series of the severest observations and censures, on (what they termed) those fatal counsels, and that conduct of public affairs and measures, which equally misleading and deceiving the Prince and the people, led to the present dangerous and unhappy crisis. Along with a recapitulation of the losses, misfortunes, and disgraces of the war, with a striking picture of the various calamities and miseries, which they attribute to that public conduct they so strongly condemn, they by no means forget to take notice, how repeatedly they had deprecated, and how truly foreboded, in their former applications to the throne, (and in concurrence with the sense of many other respectable public bodies, and of many of the wisest and best of his Majesty's subjects) the present evils and dangers, as well as those greater to which the nation is still liable, as the inevitable consequences of the measures which were pursued; neither did they pass without notice the inefficacy of their former applications, and the answers which had been given to their addresses and remonstrances upon public affairs.

Among other political observations, all implying or charging neglect or misconduct on the side of government, they particularly noticed in the present instance, that there was no appearance of our having formed any alliance with any of the other great powers of Europe, in order to cover us from the complicated perils so ma-

nifestly imminent over this nation, at a time when there was but too much reason to apprehend, that alliances of the most dangerous kind were formed against us.

The answer, which was longer than usual, seemed also to indicate a greater attention, both to the subject of the address, and to the body whose act it was, than had been always manifested upon similar occasions. It comprehended in substance, that, although it could not be allowed, that the force and resources of the state, had been unwisely and improvidently exerted, when the object was the maintenance of that constitutional subordination which ought to prevail through its several parts; yet, the calamities inseparable from a state of war had been constantly lamented; and, an assurance was given, that his Majesty would most earnestly give all the efficacy in his power, to those measures which the legislature had adopted, for the purpose of restoring, by a happy and permanent conciliation, all the blessings and advantages of peace.

Whatever hopes or motives operated towards a temporizing conduct on the side of England, it was soon perceivable, that no similar causes influenced that of France. No sooner was the account conveyed with unusual dispatch to that court, of the immediate effects, which the delivery of the rescript from their minister seemed to have produced in London, than orders were instantly issued March 18th. for the seizure of all those British vessels, which were found in any of the French ports. This example was followed by a similar order in Great Britain.

But these measures produced no great effect on the one side or the other, as there were few ships in the ports of either.

The order for the seizure of the British vessels, was in three days followed by another measure still more decisive, and which seemed as if it were intended by France, to affix such a seal to her late declaration, as would not only convince her new allies of her sincerity, but put it out of her own power to retract from her engagements with them. This was the public audience and reception given to the three American deputies, Dr. Franklyn, Silas Deane, and Arthur Lee, as ambassadors from the United States, by the French monarch. The deputies were introduced by M. de Vergennes, and received by the King, with the usual formalities and ceremonies, which the etiquette of courts has established on the introduction of ministers from sovereign states. A great and striking event, as any which has been known in the latter ages. Nothing could be desired more mortifying to the Crown of Great Britain.

Certain appearances were, however, still to be perceived by France as well as by England; and the King's ordinance, affording new and extraordinary advantages to the captors of prizes, as an encouragement and spur to the vigour of the marine service, although it was signed on the 28th of March, was kept dormant, without publication or effect, until the beginning of July.

To complete the defensive plan, which was declared to be only preliminary to one more effectual, to be taken up in due time, in England

land the militia were immediately called out and embodied, upon the rising of parliament; and being joined by the regular forces, the numbers of the one being apportioned in some degree to that of the other, camps were formed at Winchester, Salisbury, St. Edmundsbury in Suffolk, Warley Common in Essex, and Coxheath in Kent. But the eyes and the confidence of the nation, were turned, as usual, towards that naval force, which had so long been the object of its pride and hope.

This hope and confidence were still farther increased, by the appointment of a distinguished, and exceedingly popular admiral, in the highest esteem with his own profession, as well as the public, to the command of, what was called, the grand fleet at Portsmouth. It happened, however, most unhappily, that at this critical season of national danger, our navy was not altogether capable of supporting the expectations which were formed. Some time elapsed before any considerable force could be got together.

We have for some years past seen, that complaints on this subject, and enquiries into the state of the navy, have been repeatedly introduced and proposed in parliament; that direct charges as to points of fact, of the utmost importance, have been frequently made and strongly supported; that these charges have been no less strongly and confidently denied; and that all propositions, which led to any direct and effectual investigation of the subject, have been uniformly rejected by prodigious majorities, as improper and impolitic in their own nature.

The minority charged the mi-

nisters, on the present occasion, with having entertained the King with the vain pageantry of a naval review, and having for this purpose kept the navy from more rational service in America, in order to impose on the sovereign, and to hide from his eyes their neglect of his most essential forces. Such means of gratifying royal or popular curiosity in the fair weather of peace, may well serve to hide defects, and to conceal weakness; but the rough season and searching hand of war, will soon tear off the painted covering, and expose the deception.

Admiral Keppel was destined to the command of that fleet, to which was committed the defence of this island, the protection of the homeward bound trade, and the preservation of the dignity and honour of the British flag in the adjoining seas. He arrived at Portsmouth to take upon him the command, in a few days after the delivery of the French rescript. It now appears, from evidence which cannot be controverted, and which nothing less than the extraordinary events that followed could have brought forward, that he found matters in a very different state, as well from the opinion which had been generally circulated, as from what he had himself been taught to expect. He asserted on his trial, and it was not contradicted, that instead of a strong and well appointed fleet, capable of undertaking the great objects of service laid before him, he then discovered to his astonishment, that there were only six sail of the line, which were in any degree of condition for immediate service; and that the paucity or condition of men or ships was not

more alarming, than the deficiency of all kinds of naval stores was lamentable. The ministers have since asserted, that there were many ships in condition, and sufficient to form a strong squadron; but they were at that time dispersed on various services; and could not be collected together so soon as they wished, though early enough for use. Whatever merit might have been in this matter, the admiral, accommodating himself to the actual state of affairs, and to the necessity of the time, acted with such prudence, caution, and discretion, as fully prevented that increase of the public alarm and apprehension, which a display of these circumstances must necessarily have occasioned. Without noise, and without complaint, he urged his private applications to the Admiralty with such assiduity and effect, that a new spirit, and unusual degree of vigour, were suddenly seen to pervade the naval department; and such industry was used in preparation, that by the middle of June, he was enabled to take the seas, with a fleet of twenty sail of the line, and a promise of speedy and effectual reinforcement.

In this anxious situation of affairs, and in such imperfect preparation, great reliance was placed by the public, in the acknowledged naval abilities and skill of a commander, the settled fame of whose cool and determined courage, might make him dare to be prudent. He had been concerned in many of the most splendid services of the late war, and stood particularly high in the estimation of Lord Anson and Lord Hawke. In the navy he was in a manner adored. It was strongly

expressed by an eminent member of parliament, "that all descriptions of men seemed pleased with the choice, and to feel their own security included in his appointment."

However flattering these circumstances might be, his taking such a command, was not without its difficulties, and afforded much room for serious reflection. It is indeed highly flattering to, and one of those meeds of virtue and ability, which perhaps affords the most poignant gratification, that however they may be neglected and laid by, in the halcyon days of quiet and security, they must be sought to with reverence, and called into action with honour, in the seasons of trouble and peril. But the Admiral had, upon this occasion, a great deal to risk, and he expected nothing. His circumstances were not such as to prompt him to seek for new perils, and his time of life, and state of health, naturally led to a desire of ease, rather than to the fatigues, hardships, and difficulties, not only of an active employment, but of a most critical service. The well-earned glory acquired in forty years service, was now to be staked upon a single cast, and could receive no great addition from winning. And it could not be without much reluctance, that a situation in life, which it would be so extremely difficult in any respect to have mended, should be committed to any new hazard. This is, with few additions, his own natural and affecting way of stating his situation.

His political situation increased all these difficulties, and evidently rendered the measure extremely hazardous,

ardous. Every officer who has ever been entrusted with a great and important command must experimentally know, how much his success and his fame depends, upon the support which he has at home. In this support is to be included, the countenance of those ministers, who are in effect his employers, as well as the measure of supply which they mete out for the support of his service. Opposition in parliament, and a difference of opinion in political matters, have, in former times as well as the present, been alledged as a cause of the oppression of officers in military commands. "I go to serve against your enemies," said Villars to Louis the XIVth, "but I leave mine in your closet." Ministers, on the other hand, are apt to accuse them of failure in duty, on account of disaffection to the power of persons whom they hate. It is however certain, that in the latter case, this misconduct can seldom happen, without being very evident to the discerning eyes of their own profession. But in the former, the character of a commander may be whispered away, without any direct charge being laid against his conduct, or any avowed censure from those, under whose auspices and instructions he had acted.

In consequence, however, of a royal message, which came through the first Lord of the Admiralty, Admiral Keppel attended in the closet, to receive the commands of his sovereign. And although (to use his own expressions upon his trial) his forty years endeavours were not marked by the possession of any one favour from the crown, except that of its confidence in

time of danger, he could not think it right to decline the service of his country. And this the more especially, as the nation was represented to him, by those, who had a right to be the best acquainted with its condition, to be in no very secure state. In that, and other subsequent royal audiences, he delivered his opinions with that plainness and openness, which were equally suited to his natural, and incidental to his professional character. He particularly took the freedom of observing, that he served in obedience to his Majesty's commands; that he was unacquainted with his ministers, as ministers; and that he took the command as it was, without making any difficulty, and without asking a single favour; trusting only to his Majesty's good intentions, and to his gracious support and protection.

Nor were appearances less favourable on the side of the ministers. The business had been sixteen months in contemplation, the first proposal having been made in consequence of the alarming aspect which the state of public affairs exhibited, in the month of November 1776; the notice of his appointment, upon the decisive part at length taken by France, was conveyed to the admiral, through the chief minister of the marine, with every appearance of concurrence and approbation; and the bearer of this message, who seemed to feel no small degree of pleasure in the employment, (although he afterwards became his accuser) was his particular friend and intimate acquaintance of very long standing. This gentleman, who was vice admiral of the blue, and

and likewise a lord of the admiralty, was to serve in Mr. Keppel's fleet, as third in command. It would be needless to dwell upon the well-founded satisfaction and confidence, which the assistance of officers, standing in such a degree of intimacy and friendship, must afford to a commander in chief. It seems to meet, so far as it goes, that first wish of every general, to have the choice of those officers on whom he must principally confide, and on whose conduct, his reputation and success must so much depend.

With the force we have mentioned, the greatest national trust that could be reposed, and unlimited discretionary powers, the admiral sailed from St. June 13th, Helen's. The trust
1778.

was indeed great, for the state of public affairs was exceedingly critical. It was well known that France had a strong fleet at Brest, and in such a state of preparation, as sufficiently indicated some immediate and important design. Our great commercial fleets, loaded with that wealth, which could alone enable us to encounter such formidable enemies, and to support so complicated and extensive a war, were on their way home from different quarters of the globe. To the protection of the commerce of Great Britain, was to be added the defence of her extensive coasts, the security of her vast capital, and the preservation of those invaluable reservoirs of her naval power, in which were equally included, her present strength, and her future hope. All these immense objects, were committed to the defence of twenty ships,

The fleet had scarcely arrived at its station in the Bay of Biscay, when an occasion offered to shew, that great discretionary powers are liable to much personal risque, unless the most cordial support is afforded, by those in the administration of public affairs, to the person on whom these powers is delegated. Two French frigates, with two smaller vessels, appeared in sight, and were evidently taking a survey of the fleet. The admiral's situation was nice and difficult. War had not been declared, nor even reprisals ordered. It was, however, necessary to stop these frigates, as well to obtain intelligence, as to prevent its being conveyed. Indeed it seemed a matter of indispensable necessity, not to miss the opportunity of acquiring some knowledge of the state, situation, and views of the enemy. But that fluctuation of counsels, which, as we have stated, seemed to prevail at that time, joined to the peculiar circumstances of the admiral's political situation, seemed, all together, to render any strong measure exceedingly hazardous. He might have been disavowed; and a war with France might be charged to his rashness, or to the views and principles of his party. In this dilemma, the admiral determined to pursue that line of conduct which he deemed right, and to abide the consequences. The subsequent behaviour of the French frigates, seemed calculated to afford a justification for any measure of violence he could have pursued.

A general signal for June 17th, chasing being made, the Milford frigate got in the evening along-side of the *Licorne* of 32
guns,

guns, and in the most obliging terms, required, or rather requested, the French captain, to come under the admiral's stern; this was refused, but upon the coming up of a ship of the line, and her firing a gun, the Frenchman stood to her, and was brought into the fleet. The admiral sent a message to leeward, that every civility should be expressed to the French captain, and also information given, that he would see him as soon as they could come up in the morning; the vessels who had him in charge received orders to attend to him through the night, and to bring him up without molestation.

In the morning, an unexpected movement made by the French frigate, occasioned one of the convoy to fire a shot across her way, as a signal for keeping her course, when, to the astonishment of the admiral and the whole fleet, she suddenly poured her whole broadside, accompanied with a general discharge of her musquetry, into the *America* of 74 guns; at the very instant that Lord Longford her commander was standing upon the gunwale, and talking in terms of the utmost politeness to the French captain. The frigate instantly struck her colours as soon as she had discharged her fire. Several of the shot struck the *America*; and it seemed little less than a miracle, considering the closeness of the ships, and the unsuspecting state of the crew, that only four of her people were wounded. Although this behaviour merited the severest return; and that a broadside, which would probably have sent her to the bottom, was that immediately to be expected, yet, the noble commander of the *America*, with a magnani-

mity, humanity, and admirable command of temper, which reflect the highest honour on his character, did not return a single shot.

In the mean time, the other French frigate, called *La Belle Poule*, which was of great force, and heavy metal, with a schooner of 10 guns in company, were closely pursued by the *Arethusa* frigate, Captain Marshall, and the *Alert* cutter, until they got out of sight of the fleet. The *Arethusa* having at length got up with her chase, requested the French captain to bring to, and acquainted him with the orders of bringing him to the admiral. A compliance with these requisitions being peremptorily refused by the French officer, Captain Marshall fired a shot across the *Belle Poule*, which she instantly returned, by pouring her whole broadside into the *Arethusa*, then very close along side.

A desperate engagement ensued, and was continued with unusual warmth and animosity for above two hours; each side vying with the utmost degree of national emulation to obtain the palm of victory, in this first action and opening of a new war. The French frigate was much superior in weight of metal and number of men; nor could she at all have spared any part of those advantages. At length, the *Arethusa* was so much shattered in her masts, sails, and rigging, and there being at the same time but little wind for her government, she became in a great measure unmanageable; and they being now upon the enemy's coast, and the French ship's head in with the land, the latter took that opportunity of standing into a small bay, where several boats came to her

her assistance at day-light, and towed her into a place of safety.

During the fore part of this action, the engagement was no less warm between Captain Fairfax, in the *Alert* cutter, and the French schooner. Their force was about equal; the former carrying ten, and the latter (if we remember right) eight guns. The contest was well supported for upwards of an hour; when the schooner was compelled to strike, with the loss of five men killed, and seven mortally wounded. The *Arethusa* had suffered so much, that she was towed back to the fleet by the *Valiant* and *Monarch*, both of which had pursued the chase. Her loss in men was also considerable, amounting to eight killed, and thirty-six wounded. That of the *Belle Poule* was prodigious. The French account acknowledges above forty slain, and fifty-seven wounded. Among the former was the second in command.

They acknowledge that the *Belle Poule* carried 26 twelve pounders; but they forget to enumerate those of lighter metal, which are said to have amounted to 14 more; and they estimate the *Arethusa* at 28 six pounders. Notwithstanding this superiority of force, the brave and obstinate defence made by the *Belle Poule*, in this first action of a new war, when the terrors of our naval prowess in the last, were not yet forgotten, became a matter of great praise, and wonderful exultation. The King of France took care to nourish this national pride and opinion, as well by the honour and promotion which he bestowed on the captain and other principal officers, as by the pecuniary rewards to those in a more subaltern

degree, and his liberal munificence to the widows, families, or relations, of those who fell in the action. Nor was this attention confined to the officers. The wounded seamen, and the widows of fellows who were slain, partook a proportional degree, of the bounty; and the whole was crowned with a considerable benefaction to the ship's company in general. On the other hand, the Captains *Shal* and *Fairfax*, received praise from their commander, not more than they deserved.

In the mean time, another French frigate fell in with the fleet, was detained by the admiral, on colour of the hostility committed, and the extraordinary circumstances of ill conduct with which it attended, by the captain of *Licorne*; but several French merchantmen were suffered to pass through the fleet unmolested, and did not think himself at all authorized to interrupt their commerce. It was reported, we know not what authority, that these frigates with some other vessels, were coming to intercept our Mediterranean fleet of merchantmen, which, including those from Spain and Portugal, amounted to about 70 and which were then upon the point of immediate arrival.

From the taking of the French frigates, the admiral derived a source of information of the most critical and alarming nature. He had been taught, as he affirmed, to believe that he commanded a fleet, which, if not quite equal in number and force, was yet supplied from a confidence in his officers and men, he might venture, with rashness, to oppose to any that could have been brought

against him during his cruize. He was now close upon the enemy's coast, and within sight of Ushant, when he discovered, to his inexpressible astonishment, from the papers, and other means of information which the capture of the frigates had thrown into his hands, that the French fleet in Brest Road and Brest Water, amounted to 32 ships of the line, besides 10 or 12 frigates; whereas his own force consisted only of 20 of the former, and three of the latter.

His situation was certainly highly perplexing, and no less critical. It was scarcely possible to suppose, that he could have been sent out with such a force, and where objects of such immense importance, as perhaps included no less than the very existence of the empire, were at stake, under any intention of his encountering so prodigious a superiority; and it was yet scarcely less difficult to conceive or believe, that administration in general, or that great department of the state under which he immediately acted, in particular, could have been possibly deficient in information, on the full possession of which the public welfare and safety so directly hung, and which they could not want means of procuring with the utmost facility.

In so untoward a situation, it was indeed difficult what to decide on. Want of experience seems as necessary as want of wisdom, to inspire contempt for an enemy. The consequences of a defeat on the enemy's coast, were not in this case, as in the general course of wars, to be measured only by a temporary loss of territory, or subtraction of glory. Every thing was at stake. The fortune, and perhaps the being of this

country, were to be committed to the hazard of a single die. Our own narrow seas might be swept by an insulting enemy; our open coasts every where exposed to devastation and ruin; and the kingdom to open invasion.

Such were some of the fatal consequences that were to be apprehended from a defeat in the present state of things; and the more especially, as that, through the courage of the commanders, and the urgency of the occasion, could only have been accomplished by the absolute destruction of the fleet; whilst the unfortunate deficiency of naval stores and provision which then prevailed within the kingdom, with the difficulty, if not impracticability, under such circumstances, of procuring a foreign supply, and the exposed situation of our docks, yards, and consequently of all those ships which were either building or under repair, would, all together, present such an opening to final ruin and calamity, that scarcely a hope could be entertained of retrieving the stroke. On the other hand, to fly from the coast of an insulted enemy, when that enemy was coming out to avenge the insult, would be an incident as new in the naval history of England, as it would seem inconsistent with the present opinion, and degrading to the past renown of the commander.

In this dilemma, the admiral determined that all other considerations should give way, to what he deemed a faithful discharge of the great trusts reposed in him; the primary objects of which, were the protection of his country, and the preservation of her commerce. He wisely thought the stakes were too great to be hazarded against vast odds,

odds, either upon personal, or professional punctilio. It was, however, a difficult conquest. He afterwards declared, when compelled to a public explanation and defence of his conduct, that he never in his life felt so deep a melancholy, as when he found himself obliged to turn his back on France.—And, that his courage was never put to such a trial as in that retreat; but that it was his firm persuasion, that his country was saved by it.

27th. Upon the return of the fleet to Portsmouth, the admiral had an opportunity of verifying by experience, the necessity to a commander in chief, especially in critical seasons, and endowed with large discretionary powers, to be well supported in the cabinet, and to meet with a disposition to a favourable construction and acceptance of his well-directed services, in those nice and doubtful situations, wherein no specific line of conduct can be laid down for his direction, and in which, either personal responsibility must be hazarded, or what appears at the time to be the essential interests of his country sacrificed. He had already gone in two instances to the limits of his discretionary powers. The taking of the frigates, and the return, contrary to expectation and intention, if not to direct orders, from his station, were measures of such a nature, as admitted of no medium in their construction. They were either absolutely right, or they must be absolutely wrong. In the former case, they demanded not only immediate, but great approbation; in the latter, the most direct reprehension. The officer, who had committed errors of such

magnitude and danger, should not again, by any means, have been entrusted with a command of such national importance.

The admiral was, however, left in this state of uncertainty; and with so great a trust in his hands, never received the smallest direct or official approbation of his conduct in either instance. But he seemed to be immediately delivered over, without mercy, to the obloquy and scurrility of those publications, which he considered as being under the immediate direction of the ministers; and which, from the circumstance of their abuse having been so frequently the prelude to the downfall or disgrace of officers, are particularly considered as being, in some sort, in the secret, and as having the sanction of authority for their censure and condemnation. By these, the admiral's return and conduct were branded with the most opprobrious terms which language was capable of bestowing, and ascribed to the most disgraceful motives; his general character treated with the most indecent scurrility; and as they placed his conduct and his merits in the same scale with those of Admiral Byng, so they boldly and directly threatened him with the same fate.

The admiral bore all the discouraging, as well as the disagreeable circumstances he met, with wonderful temper. He made no complaints himself, did every thing to stifle discontents in others, pressed forward the preparations for his return to sea, without noise or parade, and bore all the unmerited reproach that was thrown upon him, without being once tempted to a justification, which, by the

narration

narration of the fact, must necessarily have criminated the first lord of the admiralty.

The fortunate arrival of the two first of our West-India fleets, and of the Levant trade, brought in a supply of seamen, at the most critical period in which they could have ever been wanted. By this means, and the exertions every where used by the admiralty, the July 9th. admiral was enabled to put again to sea, on the 13th day from his arrival at Portsmouth, with 24 ships of the line; and was joined on the way by six more; the paucity of frigates still continued, there being an addition of only one, to which was also added two fireships. But the ships in general were commanded by men, who in point of skill, ability and courage, were of the highest estimation.

In the mean time, the French king made use of the engagement with the *Belle Poule*, and the taking of the other frigates, as the offensive ground, for issuing out orders for reprisal on the ships of Great-Britain; and the ordinance for the distribution of prizes, which we have already observed had been passed a considerable time before, although hitherto kept dormant, was now immediately published. Similar measures were likewise pursued in England, as soon as the account of these transactions was received. Thus nothing of war was wanting between the two nations, excepting merely its name, or rather the formality of the proclamation.

On the day preceding the departure of the British fleet from Portsmouth, the French fleet sailed from Brest, amounting to 32 sail of the

line, and a cloud of frigates. They were divided in three squadrons or divisions, the whole being under the command of the Count d'Orvilliers, who was assisted in his own particular division, by Admiral the Count de Guichen. The second was commanded by the Count Duchaffault, assisted by M. de Rochecorvart; and the third by the Duke of Chartres, (prince of the blood) who was seconded by Admiral the Count de Grasse. M. de la Motte Piquet, although an admiral, acted as first-captain in the Duke of Chartres' ship. On their departure from Brest, the *Lively* frigate, which had been sent to watch their motions, got so involved amongst them that she could not possibly escape, and was accordingly taken.

The English fleet was likewise thrown into three divisions; the van being commanded by Sir Robert Harland, Vice-Admiral of the Red; and the rear by Sir Hugh Palliser, Vice-Admiral of the Blue. The commander in chief was assisted by the voluntary services of Rear-Admiral Campbell, a brave and experienced officer, who from ancient friendship, and a long participation of danger and service, condescended to act as first-captain in his own ship the *Victory*.

The two fleets came in sight of each other on the afternoon of the 23d of July. It appears from the movements and conduct, both then and after, of the French admiral, that he had no knowledge of the increase of Mr. Keppel's strength, at their first meeting; but considered his fleet as being still in about the same state as to number, in which it had been at the time of quitting its station before Brest. Under this impression, he

he seemed disposed for bringing on an immediate engagement; but as soon as the fleets had approached so near, as pretty well to discover each others force, he seemed evidently to relinquish that determination, and continued afterwards to evade with great caution and knowledge in his profession, all those endeavours which were constantly used on the other side to bring on an action.

As night was near, and that general actions by sea are always to be avoided at that season, the British admiral only brought the fleet to, in a line of battle, leaving the option of attack to the enemy. A fresh gale, and a change of wind in the night, made some considerable alteration in the relative situation of the opposed fleets. The French had now gained the weather-gage, which afforded them the great advantage, of either bringing on an action, nearly in the time and manner they liked, or of avoiding it totally. Two of their line of battle ships had, however, fallen considerably in the night to leeward; and the admiral now seeing that they studiously avoided an engagement, and being sensible of the difficulty of forcing them to that decision, while the wind held in its present state, determined if possible to profit of this separation, and to reduce his opponent to the alternative, of either sacrificing two of his capital ships, or of hazarding a general action.

The French commander chose to submit to the risk of the former. Although the two ships were not taken, they were so effectually cut off from the rest of the fleet, that they were never able to rejoin them during the remainder of the cruise;

and another ship, which had sustained some damage during the night in the gale, was exposed to such imminent danger of being taken, as to owe her escape merely to a sudden shift of the wind. By the cutting off of the two former vessels, the hostile fleets were placed upon an equality in point of number, with respect to line of battle ships.

For four successive days, the fleet continued constantly to beat up against the wind in pursuit of the enemy; who might have chosen any hour of that time to have come to a general engagement. This slackness with respect to action, is not, however, to be attributed to any want of spirit in *Monf. D'Orvilliers*, the gallantry of that officer being unquestioned; but the motives which operated on both commanders, were as totally different as their conduct. *Mr. Keppel* had the strongest and most urgent reasons, for pressing on an engagement with the greatest possible expedition; and the same reasons operated, though in a lesser degree, upon his adversary, to abstain from that final issue. The greatest bodies of the British trade were then on their return home. Two East-India, and two West-India fleets, of immense value, were hourly expected. The French fleet, from their order of sailing, and the number of their frigates, spread over so vast an extent of ocean, that *Mr. Keppel* found it necessary to warn the admiralty in his letters, of the unavoidable danger to which any ships that attempted to join him would thereby be exposed. As the British fleet cut off that of France from their own ports, so the fleet of France was spread athwart that
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course, which our homeward trade was likely to hold; and from the situation of both fleets, and the state of the wind, might have taken them in the British admiral's sight, without a possibility of his preventing it.

Nor was this state of things rendered less irksome; nor the apprehensions resulting from it qualified, by any well-founded confidence that it might not be of long continuance. On the contrary, our own naval histories record an example in the reign of King William, when the celebrated Admiral Ruffel was obliged to undergo for two months the mortification, of being almost in the daily view of the French fleet, without his being able in all that time to bring them to action. The admiral had also another motive for his anxiety to bring on an engagement upon any terms whatever. This motive was founded in his instructions. For although he did not for prudential reasons think fit to produce them on his trial, he made no scruple of declaring freely to the court, that his instructions went directly and absolutely to that point of fighting the enemy.

In this pursuit of the French fleet, the preserving of a regular line of battle, with any hope of bringing them to action, was evidently impracticable. That signal was accordingly hauled down from the 23d, and that for chasing to windward kept constantly flying. In this measure, the admiral was supported, not only by his own judgment, but by the practical example of some of the greatest names, who had ever supported or established the honour of the British flag. But the measure was of a nature, which rendered all prece-

VOL. XXII.

dent unnecessary for its justification. The assiduous and continual endeavours of the French admiral to avoid an engagement, afforded full cause for apprehending that he expected a reinforcement, and that, independent of all other motives, would have been sufficient for using every means to bring it suddenly on. By adhering to a line of battle, the French fleet would have been evidently out of sight in a very short time, and the probable consequence would have been, either the loss of our foreign convoys, or insult to the coast of England. The admiral accordingly continued the chase without intermission, keeping his fleet at the same time as much collected, as the nature of a pursuit would admit of, in order to seize the first opportunity which a change of wind might afford, of bringing the enemy to a close and decisive action.

On the morning of the 27th of July, the French fleet were at day-break, as much to windward, and at as great a distance, as they had generally been during the preceding days; and seemed also to avoid an action with as much industry as ever. The vice-admiral of the blue was then rather more to leeward than his station required, and having his mainsail up, it obliged the ships of that division to continue under an easy sail. This induced the commander in chief to throw out a signal, for several ships of that division to chase to windward. The enemy's fleet were then near three leagues to windward, and going off close by the wind with a pressed sail. The motive assigned for the signal was to collect as many of those ships to windward as could be done, in order to fill

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up that interval between the commander in chief's ship and the vice-admiral, which had been occasioned by the latter falling so far to leeward; and thus, by strengthening the main body of the fleet, to be ready for any chance that might occur of bringing the enemy to action. And the reason why the signal was not made to the whole division instead of particular ships, was, that they then must have chaced in a body, which would have retarded the best going ships, by an attendance on their immediate commander. Indeed the vice admiral seemed so sensible of the object of the signal, that it produced an immediate effect in the conduct of his own ship, by a considerable augmentation of sail.

Some changes of the wind, and a dark squall, which came on before 11 o'clock, produced several evolutions in both fleets, the nature and effect of which are not easily explained to the satisfaction of landmen. It seems upon the whole, that some sudden shifts of the wind, together with the unexpected and unintentional effect produced by an evolution on the French side, being all improved upon by the most masterly efforts on the other, brought the two fleets so close, that they could not part without an engagement. But as this was a situation not sought, and a decision not wished by the French commanders, they endeavoured to evade its consequences as much as possible; and accordingly, instead of shortening sail, and lying to, in order to receive the British fleet in a line of battle on the same tack, by which every ship on either side, would have been fairly engaged with her

adversary in the opposite line, and the action could scarcely fail of being decisive, they suddenly put about on the contrary tack. By this manœuvre, the heads and course of the ships in each fleet, being directed to opposite points of the compass with those of the other, they could only engage as they passed, instead of lying side to side, so as to make an effectual impression.

Thus it will be easily conceived, that in this course of engagement, any British ship that could fetch the head of the French fleet, would receive and return the fire of every ship from first to last in their line; which would have been still kept up by those that followed, until both fleets had totally passed each other. It necessarily followed of course, that those ships which engaged first, would be the soonest out of action; and that the continuance of each in it, must depend upon the part of the French line which she was able to fetch, and the consequent number of ships she had still to pass. Although this mode of fighting did not at all prevent the loss of men, or damage to the ships, yet it tended greatly to defer, if not totally to evade, the consequences incident to those circumstances; as it prevented the successful adversary from being capable of immediately pursuing with effect, either the blow which he had given to a single ship, or the general impression which he had made in the enemy's line. The necessity which induced the British commander to bring on an engagement, and the determined perseverance of the enemy in avoiding it, rendered him, of course, incapable of prescribing the terms.

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The French began the engagement, by firing at a great distance at the headmost of Sir Robert Harland's division, as they led up; who on the contrary, did not return a shot until they came within a very close distance. The example was followed, or a similar conduct pursued, by the fleet in general, as fast as each ship could close up with the enemy; and notwithstanding their being necessarily extended by the chase, they were all soon in battle. As the fleets passed each other very close on the opposite tacks, the cannonade was very heavy, and the effect considerable. The action lasted from first to last something about three hours. As the French, in their usual way, directed their fire principally at the rigging, several of the British ships were a good deal crippled, and suffered considerably in their masts, yards, and sails. The fire on their side, which was principally levelled at the hulls of the enemy, was not deficient in its effect of another kind.

As soon as the commander in chief had passed the rear of the enemy, and that the smoke was so far cleared as to admit of any observation, his first object was to look round to the position of the ships which were already come out of action, and to consider of the best means of bringing on a close and general engagement, as soon as the remainder of the fleets, which were still fighting, had passed and cleared each other. He soon perceived, that the vice-admiral of the red, with part of his division, had already tacked, and was standing towards the enemy; but observed at the same time, that none of the other ships which were come

out of action had yet tacked, and that some of them were dropping to leeward, and seemingly employed in repairing their damages. His own ship, the *Victory*, had so considerable a share in the action, as not to be in condition for immediate tacking; nor, if it had been otherwise expedient, could he immediately wear, and stand back on the ships coming up astern of him out of the action, without throwing them into the utmost disorder and confusion.

This movement was, however, performed as speedily as possible, and notwithstanding the damages sustained by the *Victory*, she was not only the first ship that wore of the center division, and that got round again towards the enemy, but it was some time before the example could be followed, and not above three or four, were then able to close up with her. In this situation of the fleet, the admiral hauled down the signal for battle, which he judged improper to be kept abroad, until the ships could recover their stations, or at least get near enough to support each other in action; and in order to call them together for that purpose, he immediately made the signal to form the line of battle a-head, which is of all others, that considered by seamen as the most forcible, and as commanding the most prompt obedience.

At this time the *Victory* was a-head of all the center and red divisions, and had time to unbend her maintop-sail, (which had been rendered totally unserviceable) while the ships astern were endeavouring to get into their respective stations. As the vice-admiral of the blue commanded the rear divi-

sion, which was of course the last out of action, he was at this time ~~a~~ head of the *Victory*, which was now become his proper station; yet without regard to the signal, he, (on whatever motives, possibly justifiable ones) quitted his station in the front of that line of battle for which it was flying, and passing his admiral to leeward on the contrary tack, whilst he was advancing to the enemy, never came into the line during the rest of the day.

The following is represented as being then the exact situation of the fleet. The *Victory* was the nearest ship to the enemy, with no more than three or four of her own division in any situation, either to have immediately supported her or each other in action; Sir Robert Harland, with six or seven sail of his division, was to windward, and ready for instant service; the vice-admiral of the blue was on a contrary tack, and totally out of the line; other ships were far astern, and five that were disabled in their rigging, at a great distance to leeward. Thus, the admiral could not at that time, which was about three o'clock in the afternoon, collect above twelve ships to renew the engagement.

The French had now got to leeward, and under the expectation of being immediately attacked, had huddled most of their ships hastily together in a kind of cluster, in the operation of wearing, from whence they were gradually stretching out into a line of battle; but upon observing the exposed situation of those British ships which had fallen to leeward to repair their damages, it induced some alteration in their movements, and they began to edge away, with an

evident intention of cutting them off from the rest of the fleet. The admiral instantly penetrated into their design, and the danger of those ships obliged him suddenly to wear, and to stand athwart the van of the enemy, in a diagonal line, for their protection. At the same time, he dispatched orders to Sir Robert Harland, to form his division at a distance astern of the *Victory*, in order to cover the rear, and to keep the enemy in check, until the vice-admiral of the blue should in obedience to the signal (which was kept constantly flying) come, with his division, into his proper station. These orders were instantly obeyed by the vice-admiral of the red, who was accordingly formed in the wake of the *Victory*, before four o'clock.

It was this evolution, which was afterwards made the foundation of one of those principal charges which were brought against the admiral, it being represented "as carrying the appearance of a flight, and bringing disgrace upon the British flag, by affording an opportunity to the enemy of claiming the victory, and of publishing to the world that the fleet had ran away." And it was also this movement, which some of the bravest and most experienced officers in the British service, and who were present at the time, declared upon oath, to have appeared, and to have been considered by them, both then and after, as a great and necessary manœuvre.

In the mean time, the admiral perceiving that he was nearing the enemy, by the course which he steered for the protection of the crippled ships, and that the vice-admiral

admiral of the blue still continued to lie to windward, and by so doing kept his division back from joining him, and from supporting the fleet, he made a signal for all ships to windward to bear down into his wake. This signal was repeated by the vice-admiral, although he had not repeated that for the line of battle; but as he did not bear down himself, his repeating this signal seems to have been peculiarly unlucky; it having been interpreted, by the ships of his division, as an order for coming into his own wake, and not for their going into that of the admiral.

These appearances of neglect of duty in the vice-admiral of the blue, were attributed to the disabled condition of his ship, to which several witnesses were produced on his trial, and on the credit of which he was afterwards acquitted. The protection of the disabled ships being accomplished, and the French fleet continuing to form their line, ranging up to leeward parallel to the center division, it became the admiral's immediate and most urgent object, to form his as speedily as possible, in order to bear down upon them and renew the battle, whilst it could yet be done with full effect. He therefore, after having repeated the signal for ships to come into his wake with no better effect than before, sent to Sir Robert Harland, to stretch away a-head, and to take his proper station in the line; in which he was instantly obeyed, with the usual promptness of that excellent officer; and seeing the vice-admiral of the blue still to windward, with his foretop sail un-bent, and without any visible effort, either towards setting it to

rights, or for obeying that signal which had been so long flying, he sent Captain Windsor of the Fox frigate at five o'clock, with express orders to him, to bear down into his, the admiral's wake, and to tell him, that he only waited for him and his division to renew the battle. We must observe, that there is a considerable variation, with regard to the exact time at which this message was delivered, in the evidence given upon the trials of Admiral Keppel and Sir Hugh Palliser.

This order not producing the desired effect, and having before hauled down the signal for coming into his wake, the admiral threw out that for all ships to come into their stations; and again, at seven o'clock, being wearied out with fruitless expectation, he made the signal for each particular ship of the vice-admiral of the blue's division to come into her station in the line; but before they had complied with this signal, night put an end to all further operations. It will scarcely escape observation, that no signal had been particularly thrown out to the Formidable, the vice-admiral of the blue's own ship: this the admiral afterwards attributed to a motive of delicacy, founded on the long services of that officer, as well as a due compliment to his rank in his double capacity, both as a lord of the admiralty, and as the third in the present command; a delicacy which, whether justifiable or not, brought great inconveniencies on Mr. Keppel; possible crimination; and is not likely to be imitated on future occasions.

Although the French, by their drawing up and forming a line parallel to the British fleet, shewed a

determination of sustaining an engagement, if they had been attacked, they, however, shewed evidently, that they were not at all disposed to urge matters to that final conclusion, by any act of their own; as they had it in their power to have renewed the engagement during every hour of the afternoon; and that with such apparent advantage, from a situation of affairs which it does not seem could possibly have escaped their observation, that their missing the opportunity appears little less unaccountable, than the strange circumstance from whence it was derived. Their conduct in the night would have afforded a confirmation of their indisposition to renew the engagement, if their preceding could have left any doubt upon the question. Three of their best sailing vessels were stationed at proper distances with lights, to divert the attention of the British fleet, and to induce them to imagine, that the whole French line still kept that position, in which it had been last seen at the close of day. Under this deception, and the favour of the night, the rest of their fleet withdrew with the utmost silence, without lights, and without any other signal, than the throwing up of some rockets, which appeared about ten o'clock, and made the best of their way to the port of Brest, for which place the wind was directly fair, and where they accordingly arrived on the following evening.

At day-light, their fleet had got to such a distance, as to be only visible from the mast-heads of a very few of the British ships, excepting the three sail we have mentioned, which were still within a few miles to leeward of some of the

nearest. The admiral threw out a signal for four ships to chase them; but soon perceiving that two of these were not able to carry so much sail as would even countenance the pursuit, he soon recalled it. And taking into consideration the crippled state of his own ships, the distance which the French had gained in the night, their vicinity to their own coasts, and also reflecting, that whatever they might have suffered in their hulls, they had not apparently received any great damage in their means of flight, he concluded upon the whole, that he had not the smallest prospect of coming up with them, and that neither a general or partial pursuit, could have answered any wife or beneficial purpose. On the other hand, he considered, that a vain and fruitless pursuit of a distant and flying enemy on their own coast, with a large swell, and a fresh wind blowing full upon it, and a fleet of large and heavy ships, in the state his own was, would not only have been wantonly exposing it without end or object to great risque and danger, but would also be a misleading and defeating of its operations, by delaying the resentment which was necessary, for carrying on the future service with vigour and effect.

It must be observed, that the account of this action and the preceding circumstances, is taken from the printed trial of Admiral Keppel. The affair has been since agitated with violence and heat, between parties with whom we have no concern, and upon a subject of which we have not naval skill sufficient to form any judgment. But as the evidence is that of the greatest seamen, and men of the highest honour, upon oath, is for

the greater part uncontradicted, and received by competent and unimpeached sworn judges, we could not, without the grossest partiality or prejudice, receive it in any other way, than as it was received and decided on by that court in the trial. It is exceedingly rare for historians to be furnished with facts so established.

The loss of men in the British fleet, amounted to 133 slain, and 373 wounded. No officer was killed, and but very few wounded. Several private French accounts estimated the loss on their side at 2000 in killed and wounded. Their gazette, published by authority, was very slow in giving any estimate of the loss; they seemed to wait for the account from England; and at length fixed it at some small matter more than that acknowledged by the British admiral on his side. Other accounts, and not ill supported, carried the loss in killed and wounded on that side, so high as 3000 men. The French gazette, besides claiming the victory, describes with no small degree of facetiousness, the utter astonishment of the French admiral and of his fleet, upon finding themselves, most unaccountably, and unexpectedly, in the harbour of Brest, instead of being, as they imagined, many leagues out at sea, and in full pursuit of the enemy towards his own coasts. The publisher, however, consoles himself with the reflection, that such mistakes are, in certain cases, by no means uncommon, and therefore afford no just ground for surprize in this instance. Whatever measures that nation have adopted or pursued for the improvement of their marine, it was observed with equal surprize and regret on that

day, and by some of our bravest and most experienced officers, that they worked and manœuvred their ships, with a degree of seaman-like address and dexterity, which they never before perceived, in any opportunity they had, whether of war or of peace, of considering the maritime abilities of that people. Some have attributed this circumstance to the number of American seamen, who are supposed to have served on board the French fleet. We do not, however, know the fact to be at all founded, that there were any such number of Americans, at that time, in the service of France, as could have been in any degree equal to the effect.

However unwilling we are to enter into any discussion of the subject, the subsequent consequences of this action render it necessary, that we should here take some notice of that conduct in the vice-admiral of the blue, which has since been productive of so much public enquiry and judicial investigation. It seems to appear from some of that fund of matter, which has since been communicated to all the world, that the conduct of that officer, in not obeying the signals or orders of his commander in chief, was so little consonant to the resolution which he had immediately displayed in the action, (which is admitted to have been equal, and by his friends stated to be even superior, to that of any other officer) that it excited the most general astonishment throughout the fleet. But as this astonishment was mixed with, and a good deal founded upon, doubt and expectation, when these remained ungratified, and that no satisfactory explanation was afforded, that kind of friendly won-

der which was first excited, changed, by no very abrupt transition, into a very high degree of dislike and resentment.

The situation of Admiral Keppel was more trying and difficult, than any, almost, that man can experience. The event of the day, and the consequent escape of the French fleet, were to him, matters intolerably grievous. As the reward of consummate skill, and the most incessant industry, fortune, after five days pursuit of his enemy, presented him with one of those fair opportunities, which she so seldom offers, of doing the most signal service to his country, in its most critical exigency, and of raising his own name to the summit of naval renown and glory. To use his own words, he hoped to have made the 27th of July, "a proud day to England." All these mighty advantages to his country, and glorious rewards to himself, were, just when they appeared—within his grasp, unaccountably ravished from it. The action of the day was honourable to British courage, and to British skill. But the fruits of both were lost. The victory was not decisive; and the whole French squadron was in safety in its own harbour. Murmurs began to prevail through the whole fleet. In Plymouth, the failure of a complete victory was attributed to the admiral's oldest and closest friend, the vice-admiral of the blue. In London his own conduct was criticised.

The admiral had seen too much of men and of service, not to be disposed to make great allowances, for those sudden, and often unaccountable, momentary weaknesses and failures of the mind, to which all mankind, in a lesser or greater

degree, are at certain times liable. His veneration to his profession, and to the honour of the navy, which he carried to a pitch bordering on enthusiasm, rendered him exceedingly tender, with respect to calling in question the names of officers of distinction. Such charges or enquiries, however founded, are apt to leave a stigma behind: and in any case, he would have thought it hard, that the well-earned meeds and the fair character, obtained in a life of hard and painful service, should at once be blasted, by the rigid construction of a single act, or the lapse or weakness of a moment. He had no doubt of the bravery of his vice-admiral, and he did not think error or mistake sufficient grounds for subjecting him to such an ordeal. His nature besides, disposed him to think favourably of others; and a modification of the same disposition, rendered him intractable, in conceiving evil of his friends.

If on the other hand it might be justly said, that no private considerations or motives whatever, were at all to be put in competition with those public ties, which were to operate upon him, as a commander in chief, a statesman, and a lover of his country; it seemed not difficult to shew, that in this instance, his public duty happily coincided with his natural disposition; and that a temperate conduct was the most perfect policy. A great trust, and no less public expectation, was reposed in him. Untoward and unhappy as the present event was, it was still the business of a wise man to conform himself to his situation; and it was no less the duty of a good citizen, than it must be the inclination of a man, who held

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the interests of his country dear at his heart, not to be warped by any bye motives, or by any personal resentments, from using every means to convert that situation, such as it was, to her greatest possible benefit.

The great national object now before him was strait and direct; and that consisted, in the using every possible exertion for rendering the fleet fit for immediate service. This was only to be attained by temper and unanimity. A retrospect into the conduct of the vice-admiral of the blue, must necessarily have suspended the whole operations of the fleet; and that not only in the midst of a campaign, but in one of the most perilous seasons this country ever saw, and when every moment seemed liable to the production of the most extraordinary events. The high degree of power and favour in which that officer then stood, and the official, if not court support, which it was well known he would receive on any question, all tended to render the measure still more ineligible, and to point out the pernicious consequences with respect to the service, and of course the public detriment which it must produce.

The commander in chief accordingly, with admirable temper, and no less prudence, conformed his conduct to the necessity of his situation; holding up the public security and interests, as the only objects of his direction. He made no charge against the vice admiral of the blue; and what seemed much more singular, that officer, who could not possibly be ignorant of some considerable part of the general effect which it produced,

and whose honour seemed to be particularly touched by the public message delivered by Capt. Windsor, as well as by other circumstances, did not offer any apology for, nor enter into any explanation of, any part of his conduct.

The public letter, giving an account of the action, which the admiral was necessarily to write to the Admiralty, and which was of course to be published in the Gazette, became, however to him, a matter of no small difficulty. It was not indeed easy to write such an account of that transaction, as would be fitting to meet the public eye, and to undergo its investigation, without a recital of particulars, which it would have been contrary to the system of conduct he was determined to pursue, to have brought into notice. He, however, chose, rather to submit a letter to the censure and criticism of the public, than to depart from that line of action which he had laid down. The letter was very short, very general, and very barren of information. It stated facts so far as it went, threw no blame upon any body, and commended the bravery of the officers in general, and of the two vice admirals in particular.

This approbation was, however, afterwards observed to be only applied to the particular circumstances, and to the immediate time of the action; the subsequent transactions of the afternoon, were, in general, thrown into the shade; and the causes that prevented a renewal of the engagement, were left in such obscurity, as drew no small share of public censure upon the admiral himself. Captain Faulknor, who was the bearer of this

this letter, was, however, entrusted with a verbal message from his admiral to the first lord of the admiralty, which seems evidently to have been intended to open the way for farther explanation, if the marine minister had required it; and which the obscurity and deficiency of the public letter seemed to demand. The message, (which the captain repeated twice to the minister, without its being productive either of observation or enquiry) was in the following words, viz. "Give my compliments to Lord Sandwich, and tell him I have more to say to him than I think it proper to put in my public letter; and if it is his lordship's pleasure to ask me any question, I am ready to wait on him."

The admiral having left a proper force to protect the homeward trade, returned to Plymouth to refit. He soon experienced the benefit arising from the wise and temperate conduct which he had pursued. Unanimity prevailed among the officers, and every exertion was used in getting the fleet again ready for sea. To use his own words upon his defence, by using the *discretion* which he thought was in him, he preserved concord in the fleet, promptitude in the service, and dignity to the country. In the mean time a letter was received from the Admiralty, declaring in the most explicit terms, his majesty's full approbation of the admiral's conduct; accompanied with the congratulations of the lords of the admiralty upon his victory.

The fleet afterwards kept the sea, as long as the approaching winter season could admit. The French fleet had also got out of Brest; and still pursued the same principle of conduct in avoiding action, which they had hitherto manifested. Instead of directing their course where they were sure of encountering an enemy, they made their way to the southward, where they were as certain of meeting none; and where their cruise could answer no other purpose than merely that of parade. Thus whilst they were loitering about Cape Finisterre, their own coasts and the bay were totally abandoned to the British fleet, who were in vain endeavouring to obtain intelligence of them. And by this means, whilst our own trade arrived from the different quarters of the world, in a state of security, scarcely exceeded by that of peace, the French commerce became a prey to our cruisers, in a degree, which few former wars have equalled for the time.

The reception which the admiral met with upon his return from sea, both at court and at the admiralty, equalled the most sanguine expectations which he could form, from that approbation already expressed of his conduct. By his Majesty, he was honoured with the most gracious expressions of satisfaction, favour, and esteem; and the behaviour of the first lord of the admiralty, was not less flattering in its degree.

C H A P. V.

Speech from the throne. Amendment moved to the address in the House of Commons. Great Debates. Amendment rejected upon a division. Opposition to the address in general, in the House of Lords, but no amendment proposed. Address carried upon a division. Motion to address the Crown, in the House of Commons, for a disavowal of certain passages in the late manifesto issued by the Commissioners at New York. The motion, after long debates, rejected upon a division. Similar motion by the Marquis of Rockingham, likewise causes much debate, and is rejected upon a division. Protest. Circumstances, which tended to the rendering the late action off Brest, a subject of parliamentary discussion. Admiral Keppel, being called upon, gives some account of that business in the House of Commons. Answered by Sir Hugh Palliser. Reply. Court martial ordered for the trial of Admiral Keppel. Conduct of the admiralty censured and supported: Question, relative to the discretionary power of that board, much agitated. Bill brought in and passed, for the holding of the trial of Admiral Keppel on shore, (in consideration of his ill state of health) instead of its being held a board ship, as before prescribed by the law. Recess.

MANY circumstances contributed to render the meeting of parliament, at the Nov. 26th. opening of the session 1778. on which we are now to enter, an object of peculiar expectation to the public. The close of the first campaign of a war with France, opened a wide field for discussion, as well as speculation. The principal officers who had held commands in America, were now returned to their seats in parliament. The Commissioners appointed under an act of the last session to settle the disturbances in America, were likewise returned. And altho' the unfortunate event of the propositions was well known, much information, with regard to the military, as well as to the civil affairs of that country, was expected from the ability and stations of the gentlemen who were joined in the commission. An opinion of

certain differences between the commissioners and commanders, excited the curiosity of all men; people being ever sure to look on with a peculiar interest, when the importance of public questions is enlivened by a mixture of personal anecdote.

The speech from the throne was replete with complaints, of the unexampled and unprovoked hostility of the court of France. With regard to the events of the war, it was short and inexplicit. Grounding the hopes of success on future exertions, on the state of preparation, and on the spirit of the people, more than on the actions of the campaign; which were alluded to with a coldness, that might easily be construed into censure. Notice was, however, taken of the protection afforded to commerce, and of the large reprisals made upon the injurious aggressors.

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The professions of neutral powers were represented as friendly; but their armaments suspicious—The failure of the conciliatory measures, was regretted—The necessity of active exertions by sea and land, pointed out by the situation of affairs, was urged in general terms, without specifying any plan of operations—With regard to the American war, a total silence was observed.

The address of the House of Commons, with the usual professions of attachment and support, repeated, in nearly the same expressions, the sentiments contained in the speech. The opposition moved to substitute, in the place of part of the address, the following amendment—"To assure his Majesty, that with the truest zeal for the honour of the crown, and the warmest affection for his Majesty's person and family, the House was ready to give the most ample support to such measures as might be thought necessary for the defence of these kingdoms, or for frustrating the designs of that restless power, which has so often disturbed the peace of Europe; but that they thought it one of their most important duties, in the present melancholy posture of affairs, to enquire by what fatal councils, and unhappy systems of policy, this country had been reduced from that splendid situation, which in the early part of his Majesty's reign, made her the envy of all Europe, to such a dangerous state, as that which had of late called forth our utmost exertions, without any adequate benefit."

It was contended on the side of opposition, that if the unanimity, so strongly recommended by the

proposers of the address, was indeed an infallible resource in the ruin of public affairs, the ministers, it must be owned, had used every means to induce the people to concur in its necessity. But, they said, that the utility of a general concurrence in any measure, depended entirely upon the wisdom of the measure in question. That the approbation of measures must be either retrospective, or prospective. With regard to the first, no plans already executed, could be affected by any subsequent difference of opinion. With regard to the latter, as no plan for the conduct of the war was announced in the speech, even hinted at by ministers, to agree to unanimity upon an object not yet proposed, was perfectly absurd. Then what was to induce the House to unanimity, but the recommendation of a set of men, who were known to agree with each other in no one article, of disposition, principle, council, or action? Unanimity, they said, was a plausible and specious word, but the thing could hardly ever exist; because the wise and the ignorant would always differ; and if it ever should take place, infinite mischief would ensue, as that could only happen through the prevalence of obstinacy, which is the natural and constant companion of folly. That, in the present instance, it would serve only to give sanction to the past, and energy to the future blunders of administration; and to commit the fate of the nation in a new and still more dangerous war to the inability of the same men, who had in so wretched, and so ruinous a manner conducted the old. That, to concur in an address, which conveyed

conveyed any idea of the slightest satisfaction in the present ministers, instead of producing vigour in our own exertions, or terror in our enemies, would only serve to fill Englishmen with despair, and Frenchmen with joy and confidence, at seeing that the deliberative government was as abject as the executive was contemptible, and that the incapacity of the one, could only be equalled by the fervility of the other.

Considering the speech from the throne, merely as the words of the minister, it was insisted, that it advanced an absolute falsehood. For the speech asserted, that our arms had not been attended with the success, which the justice of our cause, and the vigour of our exertions, seemed to promise. But they insisted, that the success was far greater than could have been expected, considering the inferiority of our fleets, and the shameful tardiness of our preparations. That, taking in these circumstances, our escaping in any manner from ruin or disgrace, might well be accounted as a very high degree of good fortune; and indeed, as far exceeding all rational expectation. And that consequently, "the speech not only asserted a falsehood, but that it also threw a false, unjust, and illiberal slander, on the commanders in the service of the crown; loading them with a censure which ought to fall on the ministers alone."

They further urged, that the speech included no less than a direct libel upon parliament, in calling the late measures which had been taken to pacify America, the plans of parliament. That the arrival of the commissioners at Phi-

ladelphia, without any knowledge of the intention to evacuate that city, had saddled them from the beginning with the distrust which was held of their immediate employers, and had taken away that appearance of openness, and that opinion of confidence and authority, which form the necessary foundation of every treaty and every pacification. It was asked, whether the glaring absurdity of that conduct was the plan of parliament? Or was parliament called together every winter for no other purpose, than to relieve the ministers from the yearly burthen of disgrace, which was the certain result of all their measures.

The conciliatory propositions themselves were arraigned, as being at once, humiliating to England, and unsatisfactory to America. But, it was asserted, that notwithstanding its defects and absurdity, the adoption of that scheme could not be said to be wholly useless—For it had cut up by the roots, every fallacious argument, by which ministers had beguiled the nation into the fatal American war, by the universal surrender of all its objects.

With regard to the system to be recommended in the conduct of the war, opposition seemed to hold no second opinion, and to call out, as with one voice—Attack France—France, said they, entered into alliance with America from motives of interest. When she finds herself vigorously attacked, and feels the heavy impressions of war, with all their consequences and distresses, in her own dominions, she will grow weary of the prospect of remote and uncertain advantages, and abandon an ally, from whom

whom she receives nothing but a participation of war and calamity. — On the other hand, they said, the spirit of America is sustained by the powerful incentives, both of liberty and self-preservation. Every effort we make to subdue that spirit, drives our colonies still more into the arms of France; who, in the mean time, feels no inconvenience from the protection she affords. And consequently, every drop of English blood which we shed in America, serves only to cement an alliance, fatal to the power and happiness of the British empire.

On the other side, the friends of administration seemed rather to follow the example of the speech, by declining to enter into a discussion of the policy of the American war: either, because it was not thought prudent to avow the determination they had made in their own minds, or that they chose to leave themselves open, to embrace whatever system of conduct, the necessity of affairs might hereafter require. But upon the past conduct of the war, and the preparation and distribution of the armaments employed in the summer, they entered into a detailed justification.

They said, that if the fleet under Admiral Byron, had been sent out earlier than it was, an opportunity would have been given to the fleet under M. d'Estaing, to have joined that at Brest; and thereby, that France would have obtained a superiority in the Channel. That such a conduct would have left us in a state of weakness at home, of which it would be impossible that the enemy should not take advantage. That, by maintaining the superiority in the chan-

nel, we prevented France from making our own seas, the scene of her exertions; and in a manner obliged her to detach and divide her forces. And, what nation would not, if she could, keep the seat of war at a distance from her own territories?

It was likewise contended, that the evacuation of Philadelphia, was a measure dictated by the soundest principles of policy. For, they said, that on the accession of France to this war, the defence of our own islands, and the attacking hers, became an object, though not, as the opposition would have it, an exclusive object. That this of necessity drew off a considerable body of our troops; and the grand army being thus weakened, it had been judged necessary to diminish the extent of our line, in order to unite and compact our forces. That, it was too well known to require argument or proof, that the operation of a closely united force was far more efficacious, serving at once to impress terror, and to overpower resistance, than if it had been weakened by extension and distance. That, to garrison every town on the continent of America, was an undertaking for which no army could suffice; and that an attempt of the sort, was certainly not the method, by which any man could hope to crush the present rebellion. It being therefore necessary to compact the forces, into one body, the only question was, when one or the other must be adopted, whether New York or Pennsylvania should be abandoned? And, said they, what reason could be assigned for collecting the whole army into Philadelphia? The situation is not near so central with

with regard to the colonies as New York; nor is it near so convenient in other respects, whether with regard to the co-operation of the fleet, the receiving of supplies, or to the general operations of the war.

These arguments must be allowed to be satisfactory with regard to the measure in question. But the opposers of administration were too acute, not to turn them to their own advantage. They accordingly asserted, that the justification of the individual measure, was the full condemnation of the whole system from which it arose. That the advocates of the American war, had themselves now fully demonstrated the impossibility of success. For they had shewn, that every advance which the army could make in America, reduced it to this alternative, either, by retaining the acquisition to divide and debilitate its own strength, or else to stand exposed to the disgrace and mortification, by treading back their own steps, to shew the inutility of all their labours. That no man could dream of conquering a continent, by sitting down in a single town. That therefore, while the nation persisted in carrying on an offensive war in America, whether our army advanced, whether it retreated, or whether it stood still, the effect would be the same; a fruitless, hopeless, expensive, and cruel, because unnecessary, war.

Although the ministers were observed to decline entering into a subject, which had already been so often, and so thoroughly debated, and upon which their adversaries always shewed a desire to press them, there arose from a

new and unexpected quarter, an advocate for the continuation of the system of coercion. One of the gentlemen employed in the late commission to America, whether the information he received in that country induced him to confide in the operation of force, or whether a nearer view of the object, mixed with a sense of disappointment at the failure of one plan of pacification, had animated him with the hopes of conquest, in a long speech, here and there interspersed with some expressions of diffidence, strongly urged the continuance of an offensive war with America.

He said his view had always been, that force should accompany concession; and that the Americans should see in this country, a manly determined spirit of perseverance: that thereby they might be moved to consider well, between the evils of war in a dubious contest, and the immediate advantages of peace upon honourable and advantageous terms. He said, it was necessary to confirm the minds of your friends, as well as to terrify your enemies; that he believed two thirds of the people of America, fully desired to return to their antient connection with Great Britain; that nothing but a surrounding army, and the diffidence they had in the support of government, prevented that spirit from breaking out into acts of hostility with the Congress. And, that therefore, the failure of the conciliatory plans, was to be imputed to the sudden retreat of the army from Philadelphia, and not to the weakness of the English interest there.

Notwith-

Notwithstanding the general tendency of that gentleman's speech in favour of the views of administration, he declared, that he did not imagine the present ministers were able to draw forth the resources which England afforded, or to apply them with ability sufficient, to compass so important an object as the reduction of the disobedient provinces. But on the other hand he was afraid, that those who were likely to succeed them, although they might be possessed of greater capacity, and more of the public confidence, were too desirous of surrendering all the objects of the contest, without any struggle, at all equal to the antient reputation of England. That, he acknowledged the situation to be extremely perilous, and the danger great; but that on such occasions, the noble qualities of the human mind, perseverance, fortitude, and the love of our country, shine in their greatest lustre.

After a very long and vehement debate, the House at length divided, about half past two in the morning, when the amendment was rejected by a majority of 226, to a 107.

The address in the House of Lords, was necessarily supported upon much the same ground with that of the House of Commons. The numerous public and private virtues of the sovereign were largely expatiated upon, in order to place in the strongest point of view, the obstinacy, ingratitude, and baseness, of his rebellious subjects in America; whilst the royal good faith with respect to foreign nations, and his Majesty's religious adherence to treaties, were no less strongly contrasted with the per-

fidious conduct of France. The usual arguments were used for unanimity, and perseverance in the American war; for the first, from the national danger; for the second, from the loss of honour and safety which must be sustained in abandoning that great continent to France.

On the other side, the lords in opposition proposed no amendment to the address; but condemning it entirely in all its parts, (as they did the matter of the speech itself) would put an absolute negative on the whole. Here too the topics were in general similar to those used in the other House. Enquiry, they said, full and complete enquiry, into the conduct of the war, and into the real state of public affairs, was now the proper and immediate object of parliament. This was no season for sending the voice of adulation to the throne. It was now a matter of necessity, that the eyes of the Sovereign should be opened to the real state of his affairs; and it would be dishonest to himself, as well as treason to the state, to conceal any part of the dangers of his situation. The arguments used for promoting the address, appeared to them to be cogent arguments for enquiry. The loss of our honour, the danger of the nation, the discontents in every part of the British dominions, and the dissensions in the navy and army, originating in the ill conduct of government, called for discussion and remedy. They did, and could only originate, from a weak and a wicked system of government. A system founded upon false principles; upheld by obstinacy, folly, and error, if
not

not by malice; and inevitably tending by its own nature to ruin and destruction. This system, they said, must be totally effaced: new men and new measures must be adopted, before any success can be rationally expected in war, or security or honour in peace.

The lords in administration could not refrain from expressing their astonishment at the new and extraordinary measure, of attempting to reject the whole of the address to the throne, without a substitution of any other in its room. An amendment, they said, of any of the parts, might have been expected; or if it had even extended to an alteration of the whole, both as to matter and purpose, it would not have excited surprise; but the attempt to put a direct and unqualified negative upon the whole address, without offering or intending any other in its room, was a measure, probably unequalled in the history of parliament. It was fitting, they said, to examine, what degree of consequence the import of this unconditional negative would amount to. His Majesty comes to parliament to seek the aid of his people, for repelling and defeating the perfidious and dangerous designs of France, openly leagued with our own rebellious subjects, for the subversion of his state and government. What answer does the proposed negative make to this requisition. It will substantially declare to all Europe, that we are determined to afford him neither aid nor support against his treacherous enemies; and that his dominions are to lie at the mercy of France.

The grounds of the contest be-
VOL. XXII.

tween this country and America, were now, they said, totally shifted; it was no longer a question, as formerly, whether that continent was worth the risk and expence of recovering, as a part of the British dominions; but the question now was, whether we should sink without resistance, under the joint force of France and America, and submit to whatever terms they were pleased to dictate, or whether we should endeavour by the most vigorous exertions, at once to punish our traitorous and perfidious foes, and by dissolving their unnatural conjunction, to restore the former unity, power, and splendour of the empire. For as affairs now stood, it was impossible, they said, to separate France and America, even in idea, as to any purpose or consequence of the war; and thus, every concession made to the latter, would either afford a direct and substantial aid, or convey a base submission to France.

It was by no means a fair inference, they said, that because from adverse accidents, and circumstances not foreseen or provided against, we had not yet met with that degree of success, which our exertions afforded reason for expecting, all coercion was therefore impracticable, America irretrievably lost, and this country incapable of longer supporting the war. The real facts would be found in the direct reverse of these propositions. America was yet far from being invulnerable; the resources of this country were still great; and her spirit was in no degree broken. They said also, that it was equally illiberal and unjust, to charge
[F] those

those accidents and misfortunes, to which all military events are subject, to the want of judgment or ability, in the design or conduct of the war.

Upon this part of the subject, they entered (as the ministers had done in the House of Commons) into some detail, and some defence, of past measures and conduct. The first Lord of the Admiralty directly denied the fact, as to that fallen, and almost annihilated state of the navy, which had been so strongly urged by a noble lord (in his professional line) on the other side. He acknowledged, that we had been much too slow both in our naval and military preparations; but this tardiness he attributed, partly to the nature of our government, partly to a mistaken lenity, and partly, to the affording a greater degree of credit to the assurances of other powers, than the event shewed they were entitled to.

The lords, on that side, said, that they had no objection to enquiries, provided that they were properly founded, specifically directed, and brought on in a proper season. But they likewise observed, that enquiries into the conduct of men in high stations, were matters of a serious nature; and as they necessarily implied some foundation for censure, should not be lightly taken up, nor wantonly played with. They concluded, that the speech imported no more, than a communication to parliament of the danger of the kingdom from the perfidy of France; the address went no further, than a general declaration to support his Majesty in a war against France; a direct and

unqualified negative to the whole, would not only amount to a refusal of that support, but would likewise include a submission to all the machinations, claims, or injuries, to be framed or offered by that insidious power. Could it then be a question with that House, whether they should assure his Majesty of their ready support under the present alarming circumstances? If a war with America, should be involved in a resistance to the perfidious and insolent demands of France, that was not imputable either to the ministers, to parliament, or to the nation at large. The war was just; and it was now become a matter of absolute necessity.

To this the lords in opposition replied, that refusing to address conveyed no negative to the support of any system of war or politics. But it conveyed, what they meant it should convey, their fullest determination, not to give the smallest degree of credit or support to the present Ministers, of whose incapacity for the conduct of any system, they were already (as they said) convinced, by the most conclusive and the most melancholy experience.

The address was carried upon a division, by a majority of 67 lords, who supported the motion, to 35, who proposed a total negative to the whole.

A copy of the late valedictory manifesto and proclamation issued by the Commissioners in New-York, having appeared in one of the public papers soon after the meeting of parliament, some of those passages in that piece, which we have already had occasion to take notice of, drew the attention

of the opposition in both Houses, and induced the Marquis of Rockingham in the one, and Mr. Coke, member for Norfolk, in the other, to move for authentic copies of the original instrument, as a foundation for an enquiry into the subject.

Dec. 4th. A copy of the proclamation of the 3d of October being accordingly laid before the House of Commons, Mr. Coke moved for an address to his Majesty, expressing the displeasure of parliament at certain passages of the manifesto, which, being pointed out as particularly exceptionable, were recited in the body of the proposed address; and declaring it, to be the sense of the House, that the Commissioners had no authority whatsoever, under the act of parliament, in virtue of which they had received their appointment, to hold out any such declaration: nor could that House be easily brought to believe, that they had derived any such authority from his Majesty's instructions. That those Commissioners were sent only to make peace, and not to declare the mode of making war; even if the mode itself had been less contradictory to the whole purpose of their appointment.

It was therefore requested, "that
" so much of the manifesto as
" contained the said declaration,
" be forthwith publicly disavowed by his Majesty, as containing matter, inconsistent with
" the humanity and generous
" courage, which, in all times,
" have distinguished the British
" nation; subversive of the maxims which have been established
" among christian and civilized
" communities; derogatory to the

" dignity of the crown of this
" realm; tending to debase the
" spirit, and to subvert the discipline of his Majesty's armies;
" and to expose his innocent subjects, in all parts of his dominions, to cruel and ruinous retaliations."

The motion was strongly supported by the opposition in general, as well as by the mover, upon the ground of good policy and self-preservation, as well as on the principles of humanity, civilization, and religion. They said, that if we intended to set the example, of overthrowing all the rules and compacts, which civilization and christianity had established among mankind, for lessening the horrors and alleviating the calamities of war, by the introduction of a new and cruel system of hostility, it was absolutely necessary, that we should be armed at all points, and every where prepared, to abide the issue, and to repel the consequences. They asked, if this was the case at present?

They stated, that the northern coasts of England, and all those of Scotland, were exposed to the ravages of the most contemptible enemy. That the kingdom of Ireland, was on every side open and defenceless. That single American privateers had already successfully landed on our coasts; and that even the Houses of our nobility had not escaped their depredations. These were armed with all the powers necessary for carrying the " extremes of war and desolation" into their severest degree of execution; but even these freebooters, who are of an order generally considered as being in a great measure

lawless in war, felt themselves bound by those compacts established between nations, and respected those laws and rights of humanity, which this once great and civilized nation, not only intends to violate, but threatens, by the mouth of her commissioners, so far as in her lies, totally to annihilate. They, however, found themselves happy, they said, in having an opportunity of declaring to their country and to posterity, that they had no share in bringing forward the calamities, which an avowal of the inhuman and barbarous principles of the manifesto must draw upon the nation.

This war, they said, had been insidiously and constantly called by Ministers the war of Parliament; but was parliament to be loaded with the obloquy of conducting it in a manner, which could only fit the ideas of a Cherokee or Onondago savage. Parliament had held forth the mild terms of peace; but surely it must be equally false and unjust, and considered as a libel of the bitterest nature, to charge it with calling to its assistance the tomohawk and scalping-knife, as instruments of reconciliation; or of threatening death and desolation to the innocent multitude in America, if they did not perform impossibilities. For such, they said, were the conditions, annexed to the threats held out to them. The multitude, if they would escape the extremes of war, were immediately to abandon home, country, property, all the natural connections, and all the commodities of life, and emigrate from the remotest parts, through roads which they would not be allowed to pass, and countries

which they would not be permitted to enter, until, 'in despite of these insuperable bars, they had arrived at New York, (where they could find neither room nor entertainment) there to accept conditions of peace from Commissioners, who were themselves actually enduring some of the evils of war, being shut up within the limits of a garrison, beyond which they durst not shew their faces.

An officer, of high family, rank and distinction, who had lately returned from America, expressed his condemnation of the measure in question, as well as of the Ministers, with whom he charged it to originate, in terms of unusual vehemence. He said he could not bear with an even temper the indignity offered to his profession, by an attempt to convert soldiers, into butchers, assassins, and incendiaries: He liked honest open war against his enemy; but he could not endure the abominable idea, of sheathing his sword in the bowels of age or innocence; still less would he tarnish the lustre of the British name by acts of barbarity, in obedience to the mandates, or in fulfilling the designs, of the most infamous administration that ever disgraced a free country. As a British senator, and still more particularly, as the representative of a great manufacturing, trading, and maritime county, which was peculiarly exposed to the retaliation of an enemy, he should think he ill discharged his duty, if he did not with his utmost power oppose a system, which would not be more disgraceful than ruinous in its effects; a system, which would invite all the renegadoes of France and

and America, to ravage our coasts; burn our towns, and destroy our manufactures; and which would justify them in every act of enormity and cruelty, even to the butchering in cold blood of our helpless women and children.

It was pretty generally, and strongly asserted on that side, that no peace could ever be derived from the present Ministers. That they had already poisoned and polluted all the sources of conciliation. And that, as they had long since forfeited all confidence and opinion with the world, so there seemed to be a common union of mankind, in shutting them out, from all negociation, treaty, or connection.

On the other side, the Ministers, and their immediate friends, expressed the utmost astonishment, at the forced and unnatural construction which was put upon the words of the declaration, and the unaccountable manner in which its plain sense was attempted to be perverted. They declared, that they had never seen a more innocent, humane, sober, conscientious, piece of writing in their lives. They considered it merely, as a sensible well-meaning address to the Americans, warning them of the dangers which they must necessarily incur by an obstinate perseverance in their rebellion, and particularly in their unnatural connection with France. That they were not to expect that lenity in future, which they had hitherto experienced during the course of the war, while we still considered them as fellow-subjects, whom we wished to reclaim by the most singular

mildness, clemency and indulgence. That nothing more could be fairly inferred from those words which were tortured into so unaccountable a meaning, than that America, in consequence of its leaguings with our inveterate enemy, should no longer be treated as a British country, but as a part of the dominions belonging to France; as the Americans, were by their alliance become French, it could afford no cause of surprize or complaint that they should be considered and treated as Frenchmen.

The Ministers denied in express terms, their intention of introducing or encouraging any new species of war in America, which should differ from the general practice in Europe; and declared that they reprobated with as much detestation, as those gentlemen who seemed so much alarmed, every idea of hostility that militated against humanity, or which went to the subversion of those laws of civilization, that had been calculated to smooth the rugged face of war. Wanton cruelty, they said, could neither be patronized by the crown, nor encouraged by any Briton: No British Minister would dare to send such orders to a British army; nor no British army ever would, or ought, in any case, to obey them, in the commission of acts of wanton barbarity. But they would not admit, that the burning of a warehouse converted into a battery, or the destruction of houses or towns, that were become repositories of military stores, or used as places of arms, could at all come within the description of cruelty

cruelty or barbarity. Such acts had been always practised by the most civilized nations in Europe; and every thing that could be attempted with a prospect of success, in order to distress an enemy, and to disable him from injuring his adversary, had at all times been held justifiable by the laws of war, and had been confirmed by the practice of all nations. Even at home, did not the laws of England allow us in case of invasion to waste and destroy our own country, wherever the enemy directed his progress, in order to prevent his obtaining provision or forage? and can a doubt then be entertained, as to the justice or right of exercising the same authority, in destroying the country of our open and avowed enemy?

On the other side it was insisted, that as there was no mistaking the words, so there was no possibility of explaining away the obvious sense of the declaration. The Commissioners had declared, that the mode of war was to be totally changed; that it was now to be conducted with a degree of rigour and horror before unknown; "they had hitherto refrained from the extremes of war and the desolation of the country:" the change denounced could be no other, than the carrying of these to their utmost extent. It could not be pretended, with any face or appearance of truth, that the rigours of hostility had not hitherto been carried on our side to the utmost limits, which the laws and rights of war authorize among civilized nations. We had even already acquired an ill name throughout Europe, under the imputation of having exceeded

those limits. If we had hitherto forbore nothing that the practice and rights of war could authorise, the plan now to be prosecuted must go directly to cancel those rights. The laws of war were laws of limitation; for war was constantly to be limited by necessity, and its calamities and ravages were to be measured and bound in upon that principle. But the extremes of war, and the desolation of countries, went beyond all limitations; and as no necessity could warrant them, they could neither be justified or excused, upon any ground of reason or argument. They supposed a case, to shew the line between the extremes and limitations of war. It would, for example, be right and defensible, because it would be necessary, to destroy any fort, garrison, or town, which afforded immediate strength to the enemy, and enabled him to annoy you in the pursuit of your object; it would be proper to burn any house from which the enemy fired on you; the necessity justifies the measure; but it would not be lawful, right, or pardonable, to burn any house or town because it might happen, at some future time, to afford shelter or strength to the enemy. They concluded, that although the extremes of war, and desolation, were well-sounding words, they were dreadful in their meaning and effect; and went to no less than the murder of man, woman, and child, the destruction of countries, and the final annihilation of humanity, or they meant nothing. Nor would the consequences be less fatal to those who introduced so odious and inhuman a system, than to the people

HISTORY OF EUROPE. [87]

people against whom its effect was directed; as all mankind would naturally combine against a nation, which throwing away every shadow of principle, would venture to recal into the world, all the forgotten cruelties of barbarous ages, and all the horrors of uncivilized war.

While the opposition were thus contending, that the words of the declaration clearly contained that certain and precise meaning which they assigned to them, and that the Ministers as strongly denied their bearing or conveying any such signification, justified the Commissioners, as well as themselves, from the imputation of holding or avowing so horrid a doctrine, and reprobated, in terms no less strong than those used by their antagonists, the principle upon which it would have been founded, the debate suddenly took a new turn, from a circumstance, which was probably as little expected on the one side as the other.

This was an open acknowledgment, by the only Commissioner who had yet returned from America, that every charge made by the opposition against the proclamation, were fully founded in point of fact, both as to principle and doctrine; at the same time that he defended and justified the measure as well as the principle in all their parts, upon the ground of sound policy and necessity. He said the proclamation certainly did mean a war of desolation; it meant nothing else; it could mean nothing else; but the measure was right and necessa-

ry; regretted he was not on the spot to give it his sanction; and after a violent condemnation of the Congress, declared that no mercy, ought to be shewn to them; and that if the *infernals** could be employed against them, he should approve of the measure.

This avowal of a doctrine and fact, which the Ministers and their friends had so totally disclaimed and denied, and confirmation of an interpretation, which they had so positively charged to the virulence of party, and the ingenious malice of their adversaries, could not but produce some little embarrassment. It was impossible to support a principle which they had so recently and so totally reprobated. They accordingly abandoned both that, and the gentleman by whom it was avowed and justified to the mercy of the opposition, without the smallest interference in behalf of either.

Both the generals who had returned from the American service, voted for the address, and condemned the supposed cruelty charged to the proclamation. But this debate was particularly distinguished, by the unexpected and direct attack made upon the American Minister, by the late commander in chief upon that continent. That general, after seeming to attribute the attacks made upon his reputation and character, to the lenity which he had practised in the prosecution of the war, and observing, that if these did not originate from Ministers, they, at least, were not discouraged or contradicted by them, al-

* A sort of machines used for the destruction of towns in the wars with France towards the close of the last century.

though they had those means of information in their hands, which fully shewed their injustice and falsehood, entered into a detail of various matters of complaint, which he laid against the noble lord at the head of the American department, relative to his conduct with respect to himself, and to the command with which he was entrusted in America. To these he charged his resignation of that command, and strongly urged, (as did likewise his noble brother) that a parliamentary enquiry should be instituted, in order that the conduct both of the commanders and the minister should be fully examined, justice done on all sides, and the nation acquainted with the true cause of that failure of success, which it had hitherto experienced. He concluded his speech with a free declaration of his own private opinion, amounting to no less in import, than that neither a happy restoration of peace, nor a successful prosecution of the war, could ever be hoped for, while the conduct of American affairs, was continued in the hands of the present noble secretary for that department.

The noble Minister seemed astonished at this unexpected attack, and entered into a vindication of his conduct with respect to the general, so far as his memory could admit upon so sudden an occasion; totally disclaiming all intention of injury, and all design of neglect. As to the conduct of the war, if it had not been as successful as might have been wished, it was not only doing him an injustice to suppose him the cause of our miscarriages, but it was supposing him of much more conse-

quence than he really was, by attributing to him the sole management of the war; he was only an humble servant of the crown; and if he had not the greatest abilities to recommend him, he had, however, thus much to offer with truth and confidence in his defence, that he had ever acted since his coming into office, according to the very best of his judgment. He had no wish, he said, to prevent any enquiry, that might be necessary to rescue the character of any gentleman from obloquy; and he trusted, that if ever a parliamentary enquiry should take place into his own conduct, he should be so well prepared to meet it, that his honour and character should come off in triumph.

The question being put, after long debates, the motion for the proposed address was rejected upon a division, by a majority of 209, to 122.

The Marquis of Rockingham, in a speech which lasted upwards of an hour and a half, introduced and supported his motion, with a great display of knowledge and ability. That nobleman, and the lords on his side, called upon in the most pressing terms, and particularly applied themselves, to the reverend bench of bishops, to exert that charity, humanity, and abhorrence of blood and cruelty, which were the leading tenets, and distinguishing characteristics of Christianity, upon a subject, which not only came directly within their cognizance, but in which they seemed bound by their character, to take an unequivocal and decided part. They observed, that all the avowed original motives and objects of the war, were

were now done away or abandoned, and its nature and principle totally changed. That right reverend body, had hitherto supported the measures of government in the contest with America, under the firm hope and persuasion, founded upon the faith and repeated assurances of Ministers, that the recovery of our colonies was not only practicable, but easily to be attained. So far, the motive of the war might possibly be honourable, and its object fair; the questions of fact, or of policy, did not absolutely lie with them. But they were now informed by an authority which they could not question, that of those very Ministers declared to all the world in their manifesto, that a new system of policy was adopted, and the nature of the contest totally changed. That America was relinquished, and the advantages of a connection with our colonies abandoned. And a new species of war was denounced, tending merely and avowedly to revenge, slaughter, and universal destruction.

It could not be even supposed, that they would afford their countenance to so odious, so barbarous a system. They were called upon to exert in their legislative character, the peculiar and most exalted principles of Christianity, in preventing the wanton effusion of human blood, and the destruction of mankind. It could not be imagined, that their natural disposition, would not tend equally with their religious principles, and their professional duty, to the condemnation of all measures of blood, and the utter detestation of all new and cruel aggravations of the horrors of war. Their interfe-

rence was required in preventing the destruction and sparing the blood, not only of men or of Christians, but of Englishmen, and of Protestants like themselves; and of crushing in the outset an abominable system of warfare, which would, in its progress and consequences, bring ruin and desolation home to their flocks and their doors.

It happened fortunately, they said, that the legal powers, with which they had been invested by the constitution for such pious purposes, would be found in the present instance, fully equal to the duty and emergency. They were the Moderators ordained by the wisdom of the constitution, to check the rage, restrain the passions, and controul the violence, of mere temporal men. Their simple votes upon this occasion, would at once fully express their detestation of the inhuman system in question, and, joined with those of the temporal lords who held the same principle, fully cure its effects. And thus they would afford a new and striking evidence to the world, of the sanctity of their order, the wisdom of its legislative institution, and the unsullied purity of their profession.

On the ground of retaliation, besides the danger and mischief to Great Britain and Ireland, the irretrievable destruction, which the full, and undoubted, adoption of that system by France and America, would bring upon our West India islands, was strongly urged. And they argued, that from the nature of the sugar plantations and works, and the great capital necessarily lodged in them, the desolation caused by a single privateer

vateer upon that system, could scarcely be recovered in an age.

But they particularly reprobated, and indeed their powers of argument, and utmost acumen of censure, seemed principally directed, (as well in the debate, as in the succeeding protest) against those new political principles or maxims, which they charged to the manifesto, viz. That "what we have no interest in preserving, we are called upon by necessity to destroy," and that, "motives of self-preservation, not growing out of any state of circumstances, now in actual existence, but founded upon a policy directed to future uncertain events, should be supposed to authorize or justify, a present general desolation." These principles, they said, would afford a full justification of all the cruelty and destruction of mankind, recorded of the most bloody tyrants, and of the most barbarous nations. They would justify Herod in the murder of the Innocents. Upon this ground, they stated the following causes of dissent in the protest.—viz. "Because the public law of nations, in affirmance of the dictates of nature, and the precepts of revealed religion, forbids us to resort to the extremes of war, upon our own opinion of their expediency; or in any case to carry on war for the purpose of desolation. We know that the rights of war are odious, and instead of being extended upon loose constructions, and speculations of danger, ought to be bound up and limited by all the restraints of the most rigorous construction. We are shocked to see the first law of

nature, self-preservation, perverted and abused into a principle destructive of all other laws; and a rule laid down, by which our own safety is rendered incompatible with the prosperity of mankind. Those objects of war, which cannot be compassed by fair and honourable hostility, ought not to be compassed at all. *"An end that has no means, but such as are unlawful, is an unlawful end."*

The Lords on that side concluded by observing, that no great force of argument seemed necessary for the condemnation of so shameful a public instrument, which springing from a commission under the great seal of the kingdom, would otherwise become a standing record, and monument of national disgrace; which went to the indiscriminate massacre and extermination of a numerous and widely extended people, two thirds of whom, were said by its framers, to be our warm friends, and inviolably attached to our government. That such a public disavowal was absolutely necessary, lest it should appear in Europe, that a British parliament had given its sanction to the revival of that ferocity and barbarism in war, which a beneficent religion, enlightened manners, and true military honour, had so long banished from the christian world.

On the other hand, the lords in administration, or office, who were those only, that took any part on that side in the debate, totally denied (as the ministers had done in the House of Commons) the interpretation put upon the words, and the construction upon the meaning

HISTORY OF EUROPE. [91

meaning of the manifesto, by the opposition. At the same time they utterly disclaimed, and reprobated even in stronger terms, the bloody principles which were charged to, or supposed to dictate the manifesto. But this charge they attributed solely, to a disposition for decrying, however unjustly, all the measures of government, and a desire of creating unfounded alarms and uneasinesses among the people. To obviate this design, and to prevent the effects which the strong representations and colouring used on the other side might produce in the House, they entered pretty deeply into a critical disquisition of the words, and what they described to be the fair construction of the proclamation, as well as into a justification of the meaning and intention, and a vindication of the conduct and character of the commissioners. They concluded by hoping, that the lords would not suffer themselves to be led away, by a studious and laboured appeal to their feelings and passions, and a forced and unnatural misconstruction and misinterpretation of plain and obvious language, into the passing of a hasty and unjust censure, not only upon the measures of government, but upon a noble lord and gentleman, who were absent in the service of their country, and consequently incapable of vindicating themselves.

On this occasion, the new Lord Chancellor had an opportunity of displaying in that House, those abilities which had been so conspicuous in another. A great law lord, who has been long out of office, and a right reverend prelate, who is scarcely less distinguished,

by his opposition to many of the measures of administration, than by his eloquence, were no less conspicuous on the other side, in their support of the motion, and in their unqualified condemnation of the terms, principle, and spirit of the proclamation. Both these noble lords took occasion to reprobate, in strong terms, the circumstances attending the destruction of several parts of America, particularly of the settlement of Wyoming, and the cruelties exercised by Col. Butler.

The question being at length put, the motion for an address of censure was over-ruled upon a division, by a majority of 71, including proxies, to 37.

Thirty-one names appeared to the protest, which, if compared with the number of the minority on the division, was above the usual proportion. That protest was penned with uncommon ability.

As the naval action of the 27th of July, was now to become a subject of parliamentary discussion, as well as of public attention, it will be necessary to take notice of some intervening circumstances relative to that business, before we enter upon the subsequent detail. It will scarcely be supposed, that the temper and silence which had been so strictly observed by the commander in chief, relative to the disagreeable and unfortunate circumstances which were charged to that memorable day, could operate in any considerable degree upon the conduct of those, who did not look to remote motives of public utility for their guide of action; or that so many thousand seamen, and so great a number of officers,

officers, who were eye witnesses of a conduct, which had in its nature a questionable appearance, could be induced, by any motives of discretion, or power of example, totally to restrain their words and sentiments upon the subject.

A general murmur accordingly spread thro' the fleet, and the loss of a complete and glorious victory, was attributed to the misconduct, and disobedience of orders, of the blue division; insomuch, that some of the officers belonging to that division, whose conduct on that day, as on all others of service, had been highly exemplary, could not avoid seeming to feel their honour wounded, through the generality of the imputation. It would have been impossible in this country, that such a state of things, and such a matter of charge or censure, could escape becoming an object of newspaper discussion. But this was probably accelerated in the present instance, by the conduct of those public prints which had been notorious for their attacks on the commander in chief, becoming no less industrious in their unbounded panegyrics upon the vice-admiral of the blue; whose general merits, as well as his singular bravery and high services in the late action, (in which he was represented as bearing away the whole palm of honour) were emblazoned in so high a stile of colouring, as could not otherwise be accounted for, than by supposing the piece to be intended merely as an invidious contrast, to that degrading picture which they had already drawn of his commander.

Such ill-judged and invidious satires and panegyrics in newspapers, have frequently done much

mischief in this country; and never more than upon the present occasion. The panegyrics just mentioned, drew out comments and observations. A letter (which, without a real signature, was attributed to an officer who had been in the action of the 27th of July) appeared in one of the papers, in which, the escape of the French on that day, was directly charged to, and circumstantially laid against, the vice-admiral of the blue, by his disobedience of the signals and the orders of his commander in chief. In this piece, several matters were stated as facts, with which the public had hitherto been unacquainted, and some of which were afterwards, in a very considerable degree, legally and publicly established by evidence. In particular, the message sent by Captain Windsor of the Fox, from the admiral to the vice of the blue, was now first announced. The vice admiral was likewise charged with continuing the whole afternoon, with his division, to windward, notwithstanding the repeated signals that were made, and the message sent, for his coming down to his station in the line.

This anonymous publication occasioned a direct application, in London, from the vice-admiral of the blue to the commander in chief, requiring from him a public justification of his conduct, and an express contradiction of those foul aspersions, which, he said, had been propagated to injure his honour and character. And in order, the more completely to effectuate this purpose, he presented a written paper, which he required to be signed and published by the admiral, containing a statement of parti-

particulars, to all of which he was to give the sanction of facts by his name. In particular, Admiral Keppel, by signing the paper, was to assert as a fact, that his calling the vice-admiral of the blue, and Sir Robert Harland's divisions, into his wake, on the evening of the 27th of July, was not for the purpose of renewing the battle at that time, but to be in readiness for it in the morning. It was hardly to be supposed that any expectation was formed of the admiral's compliance with such a demand.

This proposal being peremptorily rejected by the admiral, and possibly, not without some apparent marks of surprize or disgust, the vice admiral of the blue, Sir Hugh Palliser, immediately published in one of the morning papers, a long statement of particulars relative to the action of the 27th of July, together with an introductory letter signed with his name. This piece teemed with direct or implied censure against the conduct of the commander in chief. It also stated several particular circumstances as facts, which in the course of the subsequent judicial enquiry, were either not properly supported, or were overthrown by direct evidence. Among the latter of these, the vice-admiral's division was said to have been so scattered and separated by the signal for chasing, that his own ship, the Formidable, engaged and passed the French line alone, without her having any second, either a-head, or a-stern. And the message by the Fox frigate, was said to have been delivered at night, and in the dark, and to amount to no more, than, "That the ad-

miral wanted the ships of that division to come into his wake;" but positively denying, and declaring the assertion to be an absolute falsehood, that Capt. Windfor had said, that the admiral only waited for him to renew the attack.

This extraordinary publication, striking directly at the character and honour of the commander in chief, and tending to render him odious to his country, without any visible cause; (excepting that an anonymous, paragraph in a newspaper could be admitted as such) no charge or accusation whatever having been laid against the vice-admiral of the blue, could not fail of exciting the greatest public astonishment. Upon this occasion Admiral Keppel declared, and likewise thought it fitting to communicate the import of his declaration to the first Lord of the Admiralty, that without a full and satisfactory explanation from that officer, he could not, consistently with his honour, ever go upon any service, or act in conjunction with the vice-admiral of the blue; for that nothing less than a mutiny could be expected in the fleet, where the writer of such a letter held any command.

As these matters took place just before the meeting of parliament, they naturally became subjects of observation in both Houses, and were taken up on the first day of the session by the Earl of Bristol, who having taken notice of the letter in question, called upon the first Lord of the Admiralty for an enquiry into the conduct of the naval officers on the 27th of July, founding his demand more particularly on the declaration made to him

him by Admiral Keppel, that he would never resume the command of the western Squadron, nor could he ever think of going upon any service with the vice-admiral of the blue, until the transactions of that day were thoroughly enquired into, and sifted to the bottom.

The naval minister expressed the utmost disapprobation of the proposed enquiry. He said the action off Brest, excepting merely the destruction of the enemy's ships, had produced all the consequences, and all the benefits, which could have been derived from the completest victory. Our trade had been fully protected, that of France ruined, and our fleet rode triumphantly masters of the sea during the remainder of the campaign, whilst the enemy dared not venture to shew their faces. On the other hand, he said, that the proposed enquiry, would draw on consequences no less mischievous than a defeat; it would split the navy, both seamen and officers, into cabals and factions, than which, nothing could be more pernicious in its effects, or ruinous to the service; such an enquiry would besides take up a great deal of time; and would require the attendance of all the principal officers, either as witnesses or judges, from their proper duty, at a season, when their presence and services against the common enemy might be most wanted; and would in a great measure retard, and perhaps defeat, all the measures of the ensuing spring and summer. Such an enquiry would besides raise a kind of commotion in the nation, as almost every person would become interested on one side or the other; and at its

conclusion, it could neither afford the smallest satisfaction to the public, nor answer any one good purpose whatever.

Whilst he expressed his regret, that any misunderstanding had risen between the two commanders in question, he declared himself fully convinced and satisfied, that they had both performed their duty with the greatest bravery and honour. He said, that no man living had a higher opinion of the admiral than he had, respecting his ability and gallantry as a seaman, and his veracity as a man. Upon the same ground, arising from a like degree of knowledge, he was justified in a similar opinion respecting the vice-admiral. He farther observed on that ground, that the admiral, in his official letter, had expressed the highest approbation of the conduct of all the officers of the Squadron, among whom the vice-admiral must of course be included; and that the commander in chief's letter, if no other ground of justification existed, would be, with him, a sufficient reason for not calling for an enquiry.

The House of Commons being in a committee of supply on the 2d of December, this subject was called up in the debate that arose upon the voting of 70,000 seamen for the service of the ensuing year. On this occasion, a gentleman, in the course of a long train of strictures upon, and some severe charges against the naval department, both with respect to oeconomy and conduct, observed to the committee, that the business of the 27th of July loudly demanded an immediate enquiry, either there or elsewhere; that as Admiral Keppel
had

had declared he could not fail again with the vice-admiral of the blue, it was become a matter of the utmost national importance, and most eagerly expected by the people, that the affair should be speedily and thoroughly investigated: that if either officer deserved censure, it was fitting that it should be passed; or if their difference proceeded from any ill-founded jealousy, that it should be removed or accommodated; but, however it might be, it was essentially and absolutely necessary, in this season of danger, that we should not lose the services of our best and greatest officers, and that if unanimity was not to be hoped for any where else, no differences should, however, prevail among our military commanders. He concluded by observing, that as the admiral and vice-admiral were then present in their places, he hoped, one, or both of them, would afford the House some satisfaction on the subject, as well for the sake of their own honour, as for that of the public tranquillity.

The minister stood up, probably with a view of qualifying matters, at the very instant in which Admiral Keppel arose to answer the call upon him; but the eagerness of the House to hear the latter prevailing, he proceeded with giving some general account of his conduct, from the time of his being called to the command; and in answer to an observation which had been thrown out on a former occasion, not immediately relative to the subject, "that if Admiral Keppel were to go through the business of that day again, he would not fight the French in the

same manner," he called upon the gentleman who had made the observation, to take notice, that he was himself then speaking, and that he declared in his proper person, that if he was again to go over the business of the 27th of July, he would conduct himself in the same manner he then had. He said, every thing he could do against the enemy, had been done; he was happy to say the British flag had not been tarnished in his hands; he was perfectly easy on that head, and should never disavow, or be ashamed of his conduct on the day in question. But, he said, that the oldest and most experienced naval officers, would discover something in every engagement, with which they were before unacquainted; and he acknowledged that, that day had presented to him something new. He impeached no man, he said, of a neglect of duty, because he was satisfied the officer who had been alluded to, had manifested no want of courage, which was the quality most essential to a British seaman.

He declared that nothing could exceed his astonishment, when he saw that an officer under his command had made an appeal to the public, signed with his name in a newspaper, and tending to render himself odious and despicable in the eyes of his country, when no accusation whatever had been laid against the officer thus acting; and confessed he had been at first so much shocked, as to have determined never to set foot aboard ship again; as he could not but from thence conclude, that there was an end to all discipline and command in the navy. When the
first

first emotions, however, subsided, he, upon cooler reflection, only acquainted the first Lord of the Admiralty, that he could never sail with the gentleman in question, until matters were thoroughly explained. He did not believe, he said, the vice admiral to be a stranger from whence the anonymous attack upon him came. He had himself been the subject of much and frequent newspaper abuse; yet he had not appealed to the public, nor refused to serve his country, when his services were demanded. He did not charge ministers with being the authors or promoters of the abuse against him; they, on the contrary seemed to be his friends, and caressed and smiled upon him: or if any ministers were capable of endeavouring to cut his throat behind his back, of villifying and secretly aspersing him, he did not think they were then near him; but if they were, he was perfectly indifferent as to their smiles or their frowns, and regardless of every consequence which might follow from either; and was still ready to serve his country, with the warmest zeal, and to the utmost extent of his abilities.

This necessarily called up the vice-admiral to an explanation. He said the honourable admiral seemed to speak with a kind of reserve, as if there was something behind; he heartily wished him to speak out, that knowing fully what was imputed to him, he might have an opportunity of fairly answering the charge; he held all low insinuations and affected tenderness in the utmost contempt. If there was any real ground of accusation, why not

make it fairly and openly? If not, why insinuate that he had been wanting in point of conduct, at the same time that a testimony was given in favour of his courage? An officer's honour was not less tender with respect to imputations of misconduct, or disobedience of orders, than to those which related merely to the article of courage. Dark and indirect insinuations, were more difficult to be resisted or cured, and accordingly more prejudicial to the character of an officer, than any direct terms of accusation. It was under such circumstances, that he had been obliged to make that appeal to the public, which seemed to afford so much matter of dissatisfaction to the admiral. It had been insinuated, that he was a hindrance to renewing the action with the French fleet on the 27th of July; feeling his honour thus attacked, he waited upon the commander in chief to have the matter set to rights, the imputation wiped away, and his honour cleared. But, finding that he could not obtain that redress, which he had a right to claim and expect, he was under a necessity of appealing to the public; he had stated facts to them, and by those facts he would stand or fall. It was undoubtedly the most disagreeable circumstance in nature, to a man of sensibility, to be under a necessity of saying any thing against a friend; but where an officer's reputation was at stake, the removal of an unjust stigma, was certainly an object that superseded all other considerations. He declared in the strongest terms, that the report of his not obeying signals, was a direct falsehood;

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but that if it had been even true, considering the circumstances of that day, the public service could not have been affected by it. That however unadvisable the measure might be at present with respect to the public interests or service, it was much his interest to wish for a public enquiry or trial, as he was certain it would then come out, that he had done his duty in every respect, both as an officer and a man. He concluded by again asserting, that he had neither been guilty of neglect of duty nor of inactivity; that he was by no means instrumental in preventing a re-action with the fleet of *Monf. d'Orvilliers*; that he despised all the means resorted to, both within and without doors, to vilify and traduce him, as a professional man; and that, conscious of his innocence, he feared neither reports nor assertions, a parliamentary enquiry, nor a public trial.

Admiral Keppel replied, that he did not understand what was meant by indirect charges and insinuations; he had made none; his charge was single, open, direct, and confined to its object; it went fully and fairly, to a letter signed, *Hugh Palliser*, in a public newspaper; that publication, exclusive of what related to the defence or justification of the vice-admiral, contained several matters, so objectionable in their nature, as sufficiently justified his adhering to his determination, of never again going to sea with that officer. He had made no other charge against him; but as the vice-admiral had now entered upon the subject of signals, and declared it to be no fault of his, that the fleet of France was not

re-attacked, he must say, as to that, that he presumed every inferior officer, was bound to obey the signals of his commander; and, as he was now called upon to speak out, he would inform the House and the Public, that the signal for coming into the *Victory's* wake, was flying from three o'clock in the afternoon till eight in the evening, without being obeyed. At the same time, he said, that he did not charge the vice-admiral with actual disobedience; and he doubted not, that if an enquiry should be thought necessary, he would be able to justify himself, as he was fully persuaded of his personal bravery. He concluded, that as his country's friend, he was ready to do every thing in his power to promote its interest, and advance its honour; but them were his objects; he had nothing to do with administration, and was little solicitous about any matter, but what related to the due performance of his own duty.

The fixing of so material a point of charge, induced *Mr. T. Luttrell*, who had been the means of bringing the subject forward, immediately to stand up, and to move an address to his Majesty, for an order to bring *Sir Hugh Palliser* to his trial; but he was called to order by another Lord of the Admiralty, for deviating from the subject of debate; another motion being yet undecided, and that business not properly before the committee. By this means, the matter was deferred for the present; but the gentleman who had intended the motion, gave notice that he would revive it on the following day.

Partly from the intervention of other matters, and partly from a lack of attendance on some days, which prevented the doing of any business, this lay over for above a week without farther notice. At length, Mr. Luttrell having stated the grounds on which he founded

his motion, moved for an address to his Majesty, that he would be pleased to give directions for a court martial to enquire into the conduct of Vice-Admiral Sir Hugh Palliser, in and relative to an action off or near Ushant, on the 27th of July last, between his Majesty's fleet and the fleet of France; it appearing to this House, that the said vice-admiral did not obey the signals of his superior commander, when preparing to re-engage the ships of the enemy.

The motion being seconded, the vice admiral, in a speech full of passion and vehemence, complained bitterly of the injurious treatment which he had received from the commander in chief, who instead of justifying his character, when personally applied to for that purpose, seemed rather to countenance the villainous insinuations which some dark assassins had thrown out against him. That his conduct since had been no less unbecoming and injurious. For without venturing to come forward in a fair and manly manner, with any open and direct accusation brought formally against him, he had still endeavoured to support the aspersions thrown upon his character, by substantially charging him, in that House, with disobedience, and by seeming to lay the want of success on the 27th of July at his door. But these were

insinuations which he had determined not to lie under; he was conscious of having performed his duty; nor would he from any motives of convenience, expedience, or public opinion, father the faults of any man. The truth, he said, was, that the admiral wanted to load him with the public odium arising from the miscarriage of that day, and compel him to submit to bear the blame of his own palpable mistakes and incapacity.

The violence of this language having occasioned the friendly interposition of a gentleman on the court side, who was apprehensive of disagreeable consequences from its continuance, the vice-admiral proceeded with less vehemence to inform the House, that under the circumstances he had described, finding that he could not obtain justice by any personal application, and that no public motives could induce the admiral to bring forward any charge against him, which might afford an opportunity for the vindication of his character, he had been driven by necessity, (not having a right to demand a trial on himself) in order to repair the injury done to his honour, to lay several articles of accusation against Admiral Keppel, tending to shew, as he would hereafter demonstrate, that the failure of success on the 27th of July, with the subsequent consequences and dis-appointment to the nation, were owing to the misconduct and fault of that commander; and that he had also demanded a court martial on that gentleman, which the admiralty accordingly granted. He concluded, that the measure he had taken was dictated by self-defence; that he had taken it with

with the utmost pain and reluctance, as there were few men living he had a higher esteem and veneration for than the honourable gentleman, as a friend, and intimate acquaintance, whom he had known for many years, and whose intimacy and friendship he had hitherto looked upon as one of the happiest circumstances of his life.

Nothing could now exceed the mixed appearance of surprize, concern, and disapprobation, which prevailed in every part of the House; and the vice-admiral had the mortification to hear his conduct, both with respect to the newspaper publication, and the demand of a court martial against his admiral, openly, and without reserve condemned, by every gentleman, of whatever side or party, who spoke upon the occasion. This was still increased by the disapprobation which appeared from his own profession, which was no less general or explicit; several gentlemen of rank and distinction in the navy, who were then present, although they expressed great respect and esteem for the vice-admiral, and shewed the greatest tenderness for his character, could not, however, refrain from an absolute condemnation of his conduct in those respects. Nor was he defended or supported in any degree, either on the side of the ministers, or even by his brethren on the admiralty bench.

It seemed, however, still to be the general hope as well as wish, on all sides, that some means might yet be adopted, to prevent the matter from going any farther; and by healing the differences between the two officers, to evade those fatal dissensions in the navy,

and consequences to the public, which they otherwise apprehended. In this state, the rising of the gentleman, who was himself the immediate object of concern, could not fail of drawing all eyes and attention, any more than of commanding the most profound silence. Admiral Keppel, thanked the gentlemen on every side of the House for their friendly partiality in his favour, and for their wishes to prevent an enquiry, which carried in its very face, as well as nature, an implication of censure to his character. But, their friendly endeavours, he informed them, were now too late. His accuser had laid specific charges of criminality against him, which not only struck directly at his life, but at what was infinitely dearer to him, his honour; and in a few hours after these charges were laid, the admiralty, without farther enquiry, sent notice to him to prepare for his trial by a court martial. However disagreeable such an event might seem, as the consequence of forty years spent in the service of his country, he should not only meet it with good will, but with great inward satisfaction; he was under no apprehension, that the issue would afford any cause of concern to his friends, or bring any disgrace upon himself; his heart acquitted him of all guilt, and he made no doubt that his country would. He observed, that he was in a situation different from every other man in that House, and such as he had never experienced before; that he should therefore take no part in the present question, nor stay any longer than while he was speaking. He concluded a short, but exceedingly

ingly affecting and pathetic speech, by thanking God, that he was the *accused*, and not the *accuser*; and then immediately quitted the House.

The House shewed an unusual, and an affecting degree of sympathy during this speech; and at every pause, as well as its conclusion, those plaudits, which parliamentary forms will admit of, were almost generally bestowed. Upon his departure, the situation of his accuser became by no means pleasant; as he was under a necessity of hearing such direct and unqualified censure, and general condemnation of his conduct, as few men have experienced in that House, and as he certainly little expected at the time of making his late speech. This was carried to such a length, that a gentleman in his place declared, the whole business carried the appearance of a preconcerted scheme for the ruin of the admiral; and pointed his suspicions directly to the first lord of the admiralty; considering the vice-admiral, and the other members of that board, as merely instrumental. And notwithstanding violent and repeated calls of order from the admiralty bench, so much was heard upon this subject, that the vice-admiral thought fit to submit to the necessity of declaring upon his honour, that no person whatever had any previous knowledge of his intentions.

A naval commander of distinction, not higher in rank than in public estimation, gave the highest testimony to the numerous public and private virtues of the honourable admiral who had just departed. He said, that in forty years acquaintance and mutual ser-

vice, he did not know a single instance of his conduct in all that time, whether as a private or a public man, as a gentleman or a seaman, which did not redound to his own honour, in many cases called forth the applause and gratitude of his country, and in all, merited the approbation of every good and honest man. He took notice, that the only accusation against the vice-admiral, was laid by himself in a newspaper publication signed with his name. For in answer to an anonymous charge, he brought forward and agitated a matter, but little known and less attended to, which was the point of not obeying his admiral's signals; and having, in that defence against nothing, acknowledged that he had not obeyed them, he thereby established the fact, and became substantially his own accuser. And the fact being thus admitted, it became impossible for the admiral, if he had been even so inclined, to weaken or explain it away; the proof being of that species, which no man could pretend to controvert. Nor could the admiral, he said, consistently with his own honour, or with the public service, have again ventured to sea with an officer, who had in a public newspaper censured his conduct, and on the day of battle treated his signals with contempt.

He observed with respect to the present accusation, that the vice-admiral was present on the 27th of July; that he was a witness to the pretended incapacity and misconduct of his admiral; that he was not only silent as to faults of such magnitude and importance to his country, but lavish in his praises; that he returned with him to port,

corre-

corresponded with him, continued on terms of the greatest intimacy with him; went to sea again under his command, returned again to port, and in all that time, and during so many different transactions, not a single syllable of fault or complaint had been heard. But now all at once, when five months are elapsed, when the vice-admiral considers himself as publicly accused in the newspapers, and when a motion for bringing him to trial, had been announced and intended in that House, the accused suddenly becomes the accuser, and out start five articles of accusation, each tending directly to affect the life or honour of that man, whose intimacy and friendship he acknowledges to have considered as the greatest happiness of his life.

But while this gentleman seemed equally to condemn and regret the conduct of the vice-admiral, he declared he could not refrain from the utmost astonishment at that of the admiralty; and totally regardless of his military or professional situation, proceeded with no less freedom in its censure. He said, that in the most favourable construction that could be put upon the conduct of that board, it could not but be acknowledged, that they had, at least, acted precipitately and rashly in this business. That in a matter of such national importance, and where the life and honour of a commander, so high in character, and of such distinguished service, were at stake, a greater degree of caution and deliberation would scarcely have been more necessary, than it would have been becoming the character of a board entrusted with such powers. That in the present cri-

tical situation of public affairs, this caution was the more necessary, as it was well known, that Admiral Keppel possessed the confidence and affection of the navy in so eminent a degree, that he was little less than idolized by all British seamen. Under such circumstances, he said, that board should have been exceedingly nice in their conduct, and circumspect in their proceedings; and not the less so, for the vice-admiral being one of their own body. Before they received his complaint; or at least before they acted upon it, by taking a single official step against Admiral Keppel, they should have thoroughly considered the grounds of difference, the circumstances which produced them, and the length of time before the accusation was laid; they should have recollected that the accuser was himself accused; and that he stood in a state, which could scarcely be considered as short of avowed personal enmity with his principal, and which might well be supposed, to be even under the immediate influence of passion, at the very instant of his laying the charges. They should have acted as moderators upon the occasion; they should have given passion time to cool, and have interposed their influence in healing the differences between two brave and valuable officers, at a time when their services were so much wanted, instead of blowing up the flame, by rashly and hastily receiving a rash, hasty, and passionate accusation; and thereby drawing on those fatal dissensions in the naval service, and those numerous evils to the public, which they had themselves declared, must be the

inevitable consequences of such a trial as the present. But as things actually were, he would speak out, and could not but say, that their thus eagerly snatching at an occasion, which affected the professional character, the life and the honour, of a gentleman so high and so dear in the estimation of his country, more especially considering the situation, and the particular degree of favour in which his adversary stood, carried such striking marks of the most glaring partiality, as excited his utmost astonishment.

This direct and professional charge against the conduct of the admiralty, opened a new source of debate, which was warmly agitated on both sides. The commissioners of that board strenuously insisted their constitution to be such, that in all matters of accusation, they were obliged to act ministerially; they had no judicial power; but when a complaint was preferred; they were, as a matter of course, and in discharge of their office, not only compelled to receive it, but to give the necessary directions for proceeding to trial. Under such circumstances the board had no option; the accusation being once made, they could not reject; they could not qualify; they must have acted just as they did. Being, however, afterwards hard pressed in argument, they acknowledged in the course of the debate, that if the accusation was loosely or inaccurately drawn up; if it was frivolous and vexatious in its tendency; or if it was destitute of specification; then, indeed, it might have been the duty of the admiralty to look to the tendency

and consequences of such a loose indefinite charge; to which, from its inaccuracy, or want of specification, no proper defence could be made, and from whence, consequently, no definitive issue could be obtained. But none of these matters held in the present instance. The vice-admiral had preferred an accusation, consisting of five separate articles, or charges, properly drawn up, and specifically pointed. What then could the admiralty board do? They must either take upon them to prejudge the truth of those charges; or they must admit them to be such as were fit to be sent to the consideration of a court martial. The first, they could not, dared not do, being totally ignorant of their truth or falsehood; the second, they were compelled to comply with, because the matter admitted of no alternative.

But neither this doctrine, nor the ground of defence to which it was applied, passed without question and censure in the present instance. The opposition insisted, that the admiralty were not only endued with discretionary powers competent to the purpose; but that the exercise of them was one of their great and principal duties; it was among the most useful purposes of their institution; and they represented their omission of it on the present occasion as highly culpable. They said, that the restrictions by which they pretended to be bound, and the doctrine they founded upon that pretence, were not only the most ridiculous that could be conceived, but they led to the most ruinous consequences. They would
 establish

establish a principle, which would go to the destruction of all naval service, and to the leaving of every superior officer at the mercy of his inferior. If the whole fleet of England was upon the point of sailing, upon the most sudden and critical emergency, whether for our immediate defence against invasion, or for the preservation of our most valuable foreign interests, it would, under this doctrine, be in the power of the most petty officer, in so great a multitude of men and variety of characters, whether through malice, folly, or treachery, to put a stop to the whole design and operation, only by laying some villainous charge against the commander in chief, which would necessarily keep back all the principal officers, either as witnesses or as judges. And thus, in effect, the whole direction of our naval operations, would either be consigned over into the hands of the enemy, or committed to the discretion of folly, of malice, or of madness at home.

But they observed, that the commissioners, finding themselves unable to sustain that monstrous doctrine in its full extent, had, though apparently much against their will and intention, and disguised under loose and vague terms, virtually given it up. For what less did their acknowledgement amount to, that if accusations were frivolous, vexatious, or unimportant, the board might, and would reject them, than to those very discretionary powers which were contended for on the other side? Either the board is not competent, in any instance, to judge; or, if competent, the

board, in every such act, exercises a discretionary power. The conclusion is clear either way; every thing which malice, rage, or folly, can suggest, is a proper subject to be sent to be enquired into by a court martial, or the admiralty board have the right contended for; that of judging of the magnitude, extent, and probability of the charge, the circumstances which brought it into existence, and every other matter connected with it, which might enable them to be the means of promoting general and particular justice.

It seemed undoubtedly to be a new and singular circumstance, that a great department of the state, should, to all appearance, endeavour to narrow its own constitution, rights, and authority; whilst on the other hand, its adversaries in the opposition, were endeavouring to demonstrate its being endowed with those powers, which it totally disclaimed and denied. The different statutes relative to the admiralty, were quoted, examined, and applied on both sides. In effect, the great crown lawyers being hard pressed by their adversaries, seemed rather to employ their time and abilities in making a defence for the first lord of the admiralty, than in seriously denying the powers of the board at which he presided.

Although some gentlemen still declared their opinion, that the original motion of address for the trial of Sir Hugh Palliser, should, for the sake of public justice, be carried forward, as it was concluded, that motives of delicacy would ever prevent Admiral Keppel from becoming his accuser, yet it was more generally concluded on

that side, to let it lie dormant for the present; and to prevent its receiving a negative, it was disposed of by moving for the order of the day, which operated as a previous question, and was carried without opposition.

It was just at the approach of the recess, when Admiral Pigot, who had during the course of this business, on every occasion, exerted himself with the greatest warmth, zeal and activity, in favour of Admiral Keppel, made a motion, that on account of the exceeding bad state of health, under which that gentleman had long laboured, and the extreme danger to which his life must be exposed, by the confined air, and the want of necessary room on board a ship, during the length of time that his trial would probably last, and considering the great number of people with which it must be necessarily attended, he might have

leave to bring in a bill, to enable the admiralty to order his trial to be held at some convenient place on shore, instead of its being held aboard ship, which was the mode prescribed at present by the law.

Notwithstanding the modifications and alterations which this bill underwent in both Houses, and that it was necessarily brought back from the lords in consequence of their amendments, it was carried through with wonderful dispatch and facility, and received the royal assent on Christmas Eve. Nor did it meet with the smallest opposition with respect to its particular principle, as tending to its direct object, in either House; while the elogiums on Admiral Keppel which it drew out in its progress through both, especially the lords, would have been deemed by a vain or ambitious man, as more than a compensation for all the hardships and dangers of his trial.

C H A P. VI.

Debates arising on questions of supply, previous to the recess. Augmentation of 14,000 men, to the land services. Trial at Portsmouth. Admiral Keppel, honourably acquitted. Receives the thanks of both Houses. Vice-admiral of the blue resigns his employments, and vacates his seat in the House of Commons. Memorial, signed by twelve admirals, presented. Great discontents in the navy. Resolution of censure moved by Mr. Fox, on the conduct of the admiralty. Motion, after long debates, rejected upon a division. Second motion, of a similar nature, by Mr. Fox, rejected upon a division. Two great naval commanders, declare against acting under the present system. Resignation of naval officers. Sir P. J. Clerke, brings in a bill against the contractors; first question carried upon a division; but the bill rejected upon another. Bill in favour of Dissenters brought in and passed. Affairs of Ireland. Various attempts and proposals for affording commercial relief to that country, prove at length ineffectual.

ALTHOUGH the great questions of supply had been carried through by the ministers, previous to the recess, without any marked opposition, yet they were productive, as has been usually the case of late, of much discussion, enquiry, and observation, relative to the specific services to which they were to be applied, and the nature and amount of the respective demands. The mode of conducting the war was a general ground of objection with the opposition, who contended, that our force by sea and land should be directed against the foreign settlements, or home possessions of our natural enemy, instead of being wasted and spent in fruitless and hopeless exertions on the continent of America.

That party insisted much on what they considered as the ruinous policy, of persevering in the vain attempt of subjugating America by force, supported as it now was by a formidable and dangerous al-

liance, when we were already taught by a dear bought experience, which had at least afforded conviction to all the rest of mankind, that it was extremely doubtful whether we were capable of executing the task, even if America stood single-handed. Our only rational mode of conduct, and ground of hope, now was, they said, to press our natural foe, with such vigour and force, as would compel him to renounce his American system; and then to renew, upon fair and equitable terms, such a communion of interests with that people, as our past injustice and madness would still afford room for obtaining. But no hope of this sort (they said) could ever be entertained upon any rational principle, while we exhausted our force, and squandered our treasure in America. On the contrary, victory and defeat, in that fatal war, produced similar consequences to ourselves, and equally furthered the views of the

the common enemy. And every year of its continuance, went to establish the ruin of both countries; nor would it require a long succession of such years, to render our own destruction inevitable, whatever might become of America.

On the other hand the ministers contended, that America was reduced to the lowest state of weakness; that her armies were annihilated; that she had already contracted a debt of fifty millions in the prosecution of the war; that her credit was so totally sunk, that the congress bills were sold for one fortieth of their nominal value; that her people were starving, and in want of all the necessaries of life; and that in this state of distress, when they were enduring all the most pressing calamities of war, and every degree of domestic misery, they were also suffering the most intolerable political oppressions, from the tyranny of their usurped powers of government. That a very great majority of the people abominated the French alliance, and execrated the congress on that account; that the latter had exceeded and abused their powers in that instance; and that the political and hostile connection with France had not been constitutionally ratified; that is, it had not yet received that species of assent, which was fundamentally, and essentially necessary, to constitute a real and binding compact on the people of America.

They asked, whether such a state of things, when opposed by the blessings of peace, and these accompanied with constitutional freedom and security, did not afford the most probable causes, and

the best founded reasons for expecting, that the colonies, either separately or conjunctly, would co-operate in measures for removing their public and private distresses; for getting rid of their oppressions, and dissolving such a system of usurpation and tyranny? The probabilities were so strong in our favour, they said, as to amount to little less than actual proofs; and to stop short, and slacken our exertions, at the very moment that so fair a prospect was opened, would be such a degree of political absurdity and madness, as no people had ever before exhibited.

As to withdrawing the troops, or changing the object and direction of the war, it would amount to no less, they said, than a dereliction of America for ever. Nor would the evil be confined to the loss or independence of the revolted colonies merely. Canada, Nova Scotia, Newfoundland, Rhode Island, New York, and the Florida's, must follow of course. Our West India islands could not stay long behind, nor could they afford any benefit while they remained in our hands. And yet, dreadful as these consequences seem, even in idea, the absolute loss to ourselves, would not be the worst part of the evil. But all these vast acquisitions; these unequalled sources of naval dominion, wealth and power, would be thrown into the balance against us. They would become additions to the power and strength of our natural and mortal enemy.

The opposition answered, that it was to prevent those fatal consequences, and to avoid that dreadful state of public affairs, now too faith-

HISTORY OF EUROPE. [107

faithfully described, that they had constantly opposed the measures which led to the loss of America, and endeavoured at all times to heal the differences with our colonies. But the event, which they so much dreaded, and endeavoured to prevent, had already taken place. America was lost. It was to little purpose to waste time in cavilling about the term independence. She was independent in fact, whether we allowed it or not; nor was it in our power to render her otherwise. Were we then to persevere to the last in our folly, and acting the part of a mad and desperate gamester, to throw away the remainder of our fortune, in a fit of vexation for the loss of that which we had already squandered?

They said, that the same delusive picture of American affairs which was now presented, had, with some occasional alterations in the colouring, been exhibited at the opening of every session since the beginning of the troubles. The object was, however, at all times the same. It being merely intended to lead the nation, from year to year, still farther on in error and ruin. The Americans had been alternately represented as cowards, as beggars, as an undisciplined mob, as being not only without arms, and all military provision, but being destitute even of the common means of existence, and in that last state of wretchedness, exceedingly well disposed to cut each others throats. And as if there were no bounds supposed to our credulity, nor limits intended to our wonder, they are represented as being in general loyal subjects, and firmly attached

to the government of this country; and we are informed, that the many are not only most unaccountably kept in bondage by the few, but that they are compelled to take arms in their hands, and totally contrary to their inclination and will, to fight the battles of a vagrant congress, and of a handful of factious leaders, whom they equally hate and despise, against us, whom they regard and consider as their best friends.

To these representations, they opposed a view of the prodigious force by sea and land, supported at an expence of treasure unknown in any former warfare, which had been so long and so ineffectually employed for the reduction of such a country, defended by such wretched soldiers, and acting under such a feeble and odious government. A force and a treasure, they said, which, under a wise and able direction, might have aspired, and not unsuccessfully, to the subversion of some one, among many, of the oldest and best established states in the universe. And yet, those soldiers, and that government, have successfully resisted this mighty force by sea and land; and have, for a succession of years, and through a variety of hard and bloody conflicts, baffled the utmost efforts, of one of the best provided, best disciplined, and bravest armies that ever existed.

The motion for an augmentation of 14,000 men to the land service, which was made by the secretary at war on the 14th of December, although it was agreed to, yet brought out much of this sort of discussion. It also afforded an opportunity for a revival of those

those complaints, which had been before introduced upon other occasions, of the undue and glaring partiality, which, it was said, had been displayed, in the raising of new regiments. The whole tide of favour and preferment, the opposition contended, had been directed to a certain part of the united kingdom, and to a certain description of men, without regard to military rank or service, and to the prejudice of many of the bravest and most distinguished English officers. While, on the other hand, they said, that some of our nobility; men of the first rank, fortune, family, and distinction; men also high in military service and knowledge; who had offered to raise regiments at their own expence, for that public defence in which they were so deeply interested, were not only rejected; but, in order to put a stop to all such offers or applications, care was studiously taken, that the mode of rejection should amount to direct insult.

During the recess of parliament, and for so long after as the occasion continued, the attention of the nation was drawn, and the minds of the people agitated, in a degree which we have not before known, by the trial of Admiral Keppel; which commenced at Portsmouth on the 7th of January, 1779, and was not closed until the 11th of the following February. In the mean time, the peculiar circumstances relative to that affair, the conduct of the admiralty, and the new doctrine (as it was charged to be) which they endeavoured to establish, that they held no discretionary powers of acting in such cases, served all

together, to open that general ground of discontent in the navy, which we have since seen unhappily spread to so fatal an extent, as to seclude several of our first and greatest officers from the service of their country, at the time of her greatest distress and most imminent peril.

This naval disapprobation began early to appear, in a memorial to the King, signed by twelve admirals, including the oldest or most distinguished officers then at home, with the revered name of Lord Hawke at the head of the list, strongly condemning the conduct of the accuser through every part of the transaction, and being little less explicit with respect to that of the admiralty, so far at least, as they thought it fitting to pronounce a direct opinion on a mere question of law; and also stating to his Majesty, in strong colours, the prejudice and ruinous consequences, which the establishment of the precedent and principle now introduced would inevitably bring upon all naval service and discipline.

On the mere point of discretion, these naval commanders express themselves in the following terms: We, who are not of the profession of the law, cannot positively assert, whether the board of admiralty hath by law any such discretion; "but if we had conceived that this board had no legal use of their reason in a point of such delicacy and importance, we should have known on what terms we served. But we never could imagine it possible, that we were to receive orders from, and be accountable to those who, by law,

" law, were reduced to become
 " passive instruments to the pos-
 " sible malice, ignorance, or trea-
 " son, of any individual, who
 " might think fit to disarm his
 " Majesty's navy of its best and
 " highest officers. We conceive
 " it disrespectful to the laws of
 " our country to suppose them ca-
 " pable of such manifest injustice
 " and absurdity." — The piece
 concludes in the following man-
 ner: " We therefore humbly re-
 " present, in behalf of public or-
 " der, as well as of the discipline
 " of the navy, to your Majesty,
 " the dangers of long concealed,
 " and afterwards precipitately a-
 " dopted charges, and of all re-
 " criminatory accusations of sub-
 " ordinate officers against their
 " commanders in chief; and par-
 " ticularly the mischief and scan-
 " dal of permitting men, who are
 " at once in high civil office, and
 " in subordinate military com-
 " mand, previous to their making
 " such accusations, to attempt to
 " corrupt the public judgment,
 " by the publication of libels on
 " their officers in a common news-
 " paper, thereby exciting mutiny
 " in your Majesty's navy, as well
 " as prejudicing the minds of
 " those who are to try the merits
 " of the accusation against the said
 " superior officer."

This memorial was presented in
 the closet to his Majesty, on the
 last day but one of the old year, by
 the Duke of Bolton, who had de-
 manded an audience for the pur-
 pose, and was himself one of the
 subscribers. It seemed strongly to
 mark the general dissatisfaction
 of the navy, that, at least, two
 thirds of the admirals who signed
 this piece, were known not to be

in any habits of connection, or
 communion of interests, with the
 parties in opposition; and that on
 the contrary, several of them had
 at all times been considered, from
 their sentiments, conduct, connec-
 tions, or particular obligations, to
 be warmly attached to the present
 administration.

The trial at Portsmouth, seemed
 not much less to affect the proceed-
 ings of Parliament, than it did the
 minds of the people at large. No-
 thing material was done, or even
 brought forward in either House
 during its continuance. The Com-
 mons met on the 14th of January,
 and excepting the preparation of
 a new recruiting bill, (brought in
 by the secretary at war) which
 went to the repeal, and was per-
 haps in some respects an improve-
 ment on the former, did little
 more than meet from day to
 day to adjourn. The Lords met
 on the 20th of January, but no
 public business was brought for-
 ward until the middle of the en-
 suing month. Indeed some of the
 most distinguished names, and most
 active characters in both Houses,
 attended the trial, during the
 whole, or the greater part of the
 time that it lasted.

The event, as well as the circum-
 stances of the trial, are too well and
 too generally known, to render
 our entering into any detail of the
 subject necessary. It will suffice to
 observe, that the court-martial,
 after a long sitting of thirty days
 upon actual business, and a pa-
 tient hearing and investigation of
 the almost endless detail of evi-
 dence which it naturally afforded
 on both sides, at length acquitted
 the Admiral of every charge laid
 against him, in the fullest, clearest,
 rest,

rest, and to him most honourable terms; farther declaring, that he had behaved as became a judicious, brave, and experienced officer. And that at the same time, considering themselves as a court of military honour, as well as of criminal jurisdiction, they marked the conduct of his accuser, in the body of the sentence, with the strong and severe condemnation, "that the charge was malicious and ill founded." It was supposed to be upon the same principle, that the court did not close the trial, and immediately proceed to sentence, as soon as the prosecutor's evidence was finished; it appearing then evidently, that the Admiral must have been fully acquitted, upon the very testimony which was intended to operate against him. But it was generally thought, that the court deemed it a reparation due to the Admiral, to hear the evidence in his favour; and that the world should be acquainted with that unparalleled weight of testimony to his conduct, honour, and character, which was afterwards given by so great a number of distinguished, brave, and experienced officers. The address of the president of the court-martial, upon restoring his sword to the Admiral, was no less flattering to the latter, than the sentence was honourable.

Feb. 12th. On the day after these transactions at Portsmouth, the sentence, and the short speech made by the president, being read in the House of Commons, a motion was made, and carried, with only one dissenting voice, "That the thanks of this House be given to the Honourable Admiral Augustus Keppel,

"for his distinguished courage, conduct, and ability, in defending this kingdom in the course of the last summer, effectually protecting its trade, and more particularly, for his having gloriously upheld the honour of the British flag on the 27th and 28th of July last." The thanks of the Lords, in nearly the same terms, were agreed to in four days after, with every external appearance of the most perfect unanimity.

The general, public, and unusual rejoicings, which took place in such various and remote parts of the kingdom upon this occasion, seemed to afford a strong presumption, that the people in general considered this business, to be at least as much a public as a private concern; and indeed the whole manner of celebrating this event, seemed rather as if it had been a great national deliverance, than that merely of an individual. The rejoicings and illuminations in the cities of London and Westminster, were of such a magnitude, as has scarcely been exceeded upon any public occasion whatever. The excesses committed by the populace in the latter, which were directed against the houses or persons of those, whose supposed share in this transaction had drawn on them the odium of the multitude, are fresh in every body's memory. They were indeed furious, and had a tendency to shock and disgust many of those who partook the most heartily in the general joy. Even the iron gates and palisades of the Admiralty, were not sufficient to preserve that building, from receiving strong marks of the popular indignation; nor were some

HISTORY OF EUROPE. [111

some of the great officers of state free from sufficient cause of alarm, until the troops were brought forward to their protection.

The prevalent spirit was now so strong, as to seem to operate more or less every where. Nobody was so hardy as to attempt to justify the late prosecution upon its own proper ground. For a considerable time, the Admiralty was only defended upon the plea of official necessity; and the conduct of the prosecutor seemed wholly abandoned by all his friends.

Admiral Keppel had received an early letter from the admiralty, acquainting him that the suspension was taken off in consequence of his acquittal, and requiring him accordingly to resume his command; although he complied with this requisition, yet from the cold official terms in which the letter was couched, as well as a maimed quotation it included from the sentence, in which the clause most to his own honour, and that which leaned most upon his adversary, were both equally omitted, it seemed upon the whole to indicate, and was understood accordingly, that that board was no sharer in the general satisfaction which attended the event of his trial. Nor was his reception at court, said to be much more pleasing. These circumstances being followed up by others of the same nature, the line of conduct was understood to be so marked and apparent, that it afforded a subject of open discussion at different times in both Houses; the opposition contending, that it tended strongly to spread and confirm an opinion, already too generally received, than which, nothing could be more

scandalous or disgraceful to government, namely, that the attack upon the admiral's life and honour, was rather the effect of a combination, and of a concerted scheme, framed under and supported by the sanction of authority, than the casual result of private pique, envy, or malice.

On the other hand, the unfortunate officer, who was now become the object of general odium, was compelled, besides the loss of public favour and opinion, to submit to that of honours, of authority, and of substantial emoluments. On the very day that the sentence of the court martial was disclosed in the House of Commons, a noble Lord, one of his late brethren in office, after expressing some doubts as to the propriety of the notice, he, however, said, that in order to quiet the minds of the people, he would inform them, that Sir Hugh Palliser, had no longer a seat at the Admiralty Board; his resignation having been accepted that morning. In this manner things continued for about a week longer; the opposition waiting, as they said, to afford an opportunity to the crown, to express its utmost reprobation of the late conduct, and therein vindicate its own honour, by totally dismissing the vice-admiral of the blue from its service. At length, when one of the most active leaders of the opposition, was on the point of moving an address for that purpose, information was given, that Sir Hugh Palliser had resigned his lieutenant-generalship of the Marines, and his government of Scarborough Castle; that he had also vacated his seat in parliament; and only retained his vice-admiralship,

ship, as a qualification for his trial by a court-martial, which the Admiralty had ordered to be held upon him.

The strong interests, which were thus agitated, and the spirit of enquiry raised by the past and the depending courts-martial, were not easily laid or qualified, and naturally directed the attention of parliament to the affairs of the navy. This subject was almost the only one in which parties seemed to engage. The members of opposition, directed their attacks almost entirely against the first lord of the admiralty, whom they considered, in the present situation of affairs, as the most efficient, and consequently as the most immediately responsible, of any of the King's servants.

No less than three motions of censure, relative to the state and disposition of the navy, and one for the removal of the Earl of Sandwich from his Majesty's service, were made during the present session in the House of Commons. In consequence of an address for the purpose, several extracts of letters relative to the equipment of the Brest fleet, having been laid before
March 3d. that House, Mr. Fox moved the following resolution.—

“ That it appears to this House, that the sending Admiral Keppel, in the month of June last, to a station off the coast of France, with a squadron of twenty ships of the line, and four frigates, at a time when a French fleet, consisting, as there is great reason to believe, of thirty-two ships of the line, and certainly of twenty-seven, with a great number of frigates, was at Brest, and ready to put to sea, was

a measure greatly hazardous to the safety of the kingdom, without any prospect of an adequate advantage.”

Mr. Fox introduced his motion by a very able and animated speech; in the course of which he acknowledged, that if the present was carried, he would follow it with another for the removal of the first lord of the admiralty: and it would then rest with that House, whether the facts stated in his motion, would not furnish matter sufficient to found upon it a parliamentary enquiry. He began with some observations, on the advantages resulting from those sort of enquiries which he proposed; and which are peculiar to free governments. He said, that subsequent inquisitorial controuls, were a substitute for that secrecy and dispatch in which arbitrary states are thought to excel, and that it more than compensated for the want of them; as was fully proved, by the irresistible exertions, and the almost inexhaustible resources, of free states. That, vigour of exertion, and attention to duty, are always found where the final account is inevitable; and where no favour, no court cabal, can secure neglect and incapacity from detection and punishment.

The propriety of entering into the resolution proposed, was supported by the following very embarrassing dilemma. When Mr. Keppel sailed from Plymouth on the 9th of June, with 20 ships, under orders to cruize off Ushant for a certain number of days; the admiralty board must have known that there were then thirty sail of the line ready to proceed to sea in Brest water, or else that board was ignorant

ignorant of the fact. If the former, it was said to be an act of the highest criminality, to risque the fate of this country in so great a disparity of force. Had an engagement happened, which must have been inevitably the case, had nor the most consummate wisdom and love for his country, induced Admiral Keppel, in a case of such infinite importance, to disregard the orders of the ministers, the consequences might have been fatal to the naval power of this country. Our trade might have been ruined, our coasts insulted, and in the destruction of Portsmouth and Plymouth, the seeds of all future navies, for ever exterminated.

On the other hand, presuming that the first lord of the admiralty was ignorant of the real naval force of France, would not the consequences to the nation be the same? And therefore, it was asked, was not his conduct equally criminal? For negligence in men, entrusted with the safety of nations, was very different from the negligences of ordinary persons. In such men, negligence was criminality. And, that men high in office, and in responsible situations, did in effect acknowledge guilt, when they pleaded ignorance in justification of misconduct and neglect.

On the other side it was answered, that before ignorance was suffered to imply criminality, it was absolutely necessary, that the fact in question should be established; that it should be ascertained beyond a possibility of doubt. That the fact which was produced, as the foundation of the resolution now proposed, viz. "That there were 27 ships of the line in Brest

Vol. XXII.

"water," was so far from being proved, that it was not even grounded on probability. If the papers found on board the *Pallas* and *Licorne*, were adduced as proofs of the fact, nothing could be more vague, indefinite, and inconclusive. For first, supposing the import of those papers to have been ever so precise, it was to be remembered, that they were entirely without date; and in the next place, that they contained nothing more than an order to provide anchorage for such a certain rate and number of ships. It therefore contained evidence, not that the ships were ready for sea, but that anchorage was ordered for them when they should be ready. If the written evidence, they said, was defective, the parole evidence, given by Admiral Keppel (who had been examined in his place; relative to the verbal information he received by the capture of the two French frigates) must be no less defective, for it was founded entirely upon the written.

But the evidence, they said, was not more defective in support of the presumption on which the resolution was founded, than the circumstances were strong, which went directly to its overthrow. For it appeared, that a number of French merchantmen had been suffered to pass through the British fleet, so late as the 23d or 24th of June. The strength or weakness of the British fleet must have been known to them. And if the British fleet had such a superiority as was asserted, what reason could be given, why they did not instantly proceed to sea, in order to meet, and to crush so inferior an enemy? But although M. D'Orvilliers was in possession

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114] ANNUAL REGISTER, 1779.

possession of that information from the 23d of June, he did not leave Brest harbour until the 8th of July; a full proof that, contrary to the words of the resolution, there was no reason to suppose, that there were 32, or even 27 ships of the line in Brest water *ready to put to sea*.

It was asserted on the same side, that when Lord Hawke was sent to watch the motions of the French, upon the rumour of an invasion in the year 1758, the board of admiralty, upon hearing the enemy had a superior force out, sent him orders to return: although he did not receive the orders until the service was ended, that gallant and able officer answered the board in his letter, that he should never relinquish his duty, or return into port, from any trifling superiority of the enemy. They farther observed, that if the evil, which was supposed or apprehended, had really happened, and that Admiral Keppel had been defeated, was it probable, or could it even be supposed, that a conflict with a British fleet of 20 ships of the line, should have left the enemy in a condition to pursue their victory to the destruction of all our naval magazines? The only victory, they said, which France ever obtained over England at sea, was that over Lord Torrington in the reign of King William. Then, instead of pursuing the advantage they had gained, instead of burning Portsmouth or Plymouth, instead "of exterminating the seeds of all "future navies," the French fleet, contented with its honours, retired into the ports of France to repair the damages which it had unavoidably sustained. And such, they

said, must have been the consequences of a victory, if they had obtained one, in the present instance.

On the other side it was replied, that M. D'Orvilliers continuing in port after the arrival of the merchantmen who had passed through the British fleet, was by no means a proof, nor did it even amount to a presumptive evidence of any weight, that he was not then, with the force which had been stated, in actual condition for proceeding to sea. For it would have been a measure extremely hazardous for that commander, and which, without express orders from his court he could not have ventured, to have trusted himself to sea with 27 sail of the line, before he had received the most undoubted information of Admiral Byron's departure from the channel. For, until he was perfectly satisfied that the British fleet was divided, he could have had no assurance, that instead of twenty, he should not have encountered Admiral Keppel, with a fleet of 35 ships of the line; which was the force he had cause to apprehend, including Byron's squadron, and three ships, which were ready for sea, and which he had therefore a right to consider as part of the fleet. For the French merchantmen could report no farther than they saw. They saw three flags, and they might perhaps count 20 sail of the line; but they could not possibly answer that there were no more in company.

That this was the scale by which the French regulated their conduct, was evident from what followed. For as soon as Admiral Byron's destination was known in Paris, orders were sent to Brest for the fleet,

fleet to proceed to sea; and M. D'Orvilliers instantly weighed anchor; which affords a strong evidence, that nothing had retained him in Brest, but the difficulty which the French court, as well as their commander, found in believing it possible, that any set of men, should so far abuse the confidence of the nation which they served, as, to commit in a desperate contest that naval power, which it had cost their country so much blood, so much treasure, and so much labour to acquire.

They also said, that nothing could be more egregiously misstated or misrepresented, than the evidence acquired by the capture of the French frigates, had been by the ministers. It was not true, that Admiral Keppel had regulated his conduct by vague written or unwritten evidence; nor that the latter was founded upon the former. That gentleman had testified in his place, that the evidence which he had obtained from several of the French seamen, who were newly come out of Brest, and whom he had separately examined, all went in the most direct and strongest manner, to corroborate that of the written paper; and that they all agreed in the great circumstances, as to the number, force, and situation of the French fleet, with such a degree of exactness, as would have afforded weight to the most doubtful testimony. It would have been curious, they said, if it had not of late become so common as to lose the effect, to hear those men, who have the audacity to refuse all means of information to parliament, repeatedly call upon the opposition for those direct and positive proofs in sup-

port of their charges, which they themselves openly and avowedly keep back. It was only the other day that the opposition had moved for all those documents, which would have established their charges, with even the strongest degree of legal evidence; and those very ministers, who now have the effrontery to call for proofs, were themselves the persons, who under the most frivolous and shameful pretences, had procured, in that House, a negative to their motion. It was, however, fortunate, they said, that those papers on the table, which ministers could find no pretence or colour for keeping back, would, along with the testimony given by the honourable admiral, afford sufficient evidence for the House to proceed on, and sufficient ground for all the purposes of the motion.

The question being put after one o'clock, the motion was rejected, upon a division, by a majority only of 34, the numbers being 204 to 170.

This was an unusual division on the side of the minority. And the minister shewed a degree of passion and vehemence in different parts of this debate, which was not at all customary with him. It has been observed by some, who from long experience think they may form an opinion on the appearances of things in that House, that the question would probably have been carried in the affirmative, if the noble lord at the head of administration, having equally perceived the same indications, had not immediately applied himself to prevent their effect. For that minister, observing strong marks of defection, particularly among that

part of the country gentlemen who support administration, recalled both them and his other wavering friends to the standard, by openly declaring, that the motion of censure against the first lord of the admiralty, went directly to himself, and to all the other ministers; that there could be no discrimination; as they were all equally concerned in the conduct of public affairs, they were all equally liable to answer for the consequences; there could be no separate praise or censure; whatever reached one, must reach the whole.

Notwithstanding this defeat, Mr. Fox did not abandon, he only shifted his ground; and keeping his object still steadily in view, March 8th. brought the business forward under another form a few days after. As he had given early notice of his intention, administration rallied all their forces, and the House was even more full than it had been on the preceding debate.

He observed in opening the grounds of his intended motion, that notwithstanding the general resemblance, and the principle being the same in both, it differed from the former in one respect; that being particular and specific, whereas this went to a general proposition. It included only matter of public and universal notoriety; matter as well known without that House as within; and as fully in the possession of all Europe, as it was of the British parliament or ministers. It called for no specific proofs. He should not trouble one gentleman to state our weakness at home; another to shew our inferiority in North-America; nor would he appeal to the whole world

for the proof, that we had totally abandoned our commerce, our consequence, and our fortresses in the Mediterranean. Those forms, so necessary to substantiate charges, where there was the smallest room for doubt, suspense, or hesitation, were in this instance totally needless. He well foresaw what other grounds of objection would be taken against his propositions, but he had the satisfaction of knowing, that not a syllable of their contents could be controverted in point of fact; his hardiest opponents must acknowledge them to be literally and substantially true. He would therefore trust his motion to the feelings and conviction of his hearers; he would rest it on that testimony, which every thinking man must secretly submit to, and every honest man avowedly declare; he would appeal to no other tribunal.

He, however, thought it necessary by way of illustration, and of bringing so great a variety of matter within some moderate compass of view and remembrance, to trace the round of public affairs and transactions, both at home and abroad, from the beginning of the troubles. In this course he took a clear and comprehensive view, of the direction, management, operations, and consequences of the war; of the state and conduct of the naval department; he shewed what ministers had done, and what they had neglected; he recalled, with precision, their declarations, professions, avowed views, and promises, at different periods; he shewed the ample means which that House and the nation had put into their hands, and the sanguine expectations which they had rationally

tionally formed, upon such means, and such assurances; and then stated, in what manner those expectations had been answered, and those promises fulfilled. But he did not confine himself to assurances, or to declarations in either House. The great question at issue was, whether our preparations, and the state of our navy, were adequate to the vast sums which had been granted for those services? This was a matter in which there was no occasion for promises to fix the public responsibility of ministers. And it was a matter, he said, in which there was not, nor could not, be a second opinion, either within or without the House.

In taking a view of naval affairs under the present marine minister, he drew up a comparative estimate, of the state, condition, and expences of the navy, during certain periods, and under equal circumstances, of that administration, and of former times. By this estimate he would make it appear, that our peace establishment for the navy, had cost the nation nearly double the money, during the five years previous to the present troubles, which it had done in those immediately preceding the late war; and from similar calculations he endeavoured to demonstrate a great excess also in our present war establishment; particularly that the expenditure of the navy in the year 1778, exceeded that of 1756, by full half a million. He then entered into a strict enquiry, whether our naval preparation and effective strength in the present instance, bore that proportional superiority over the former, which the nation had a right to expect from the expenditure. And hav-

ing on this ground, as he said, not only clearly demonstrated the contrary, but that the navy was, in every sense and respect, greatly, and most alarmingly inferior; he from thence inferred just and full cause for the censure of that House, and for the well-founded resentments of the people at large.

He summed up the whole of a long and severe scrutiny into the conduct of public affairs, the operations of the war, with the management of the marine department, and the state of the navy, in the following conclusions:— Either, that ministers acted under the dominion of the grossest and dullest ignorance, or that they were actuated by sinister, corrupt, and dangerous motives; and that they were therefore, in either case, unworthy of public trust or confidence. From this dilemma, he said, there was no escape. Ignorance or treachery, was the only alternative.—His motion was conceived in the following terms: “ That it appears to this House, “ that, the state of the navy, on “ the breaking out of the war “ with France, was very unequal “ to what this House and the na- “ tion had been led to expect, as “ well from the declarations of his “ Majesty’s ministers, as from the “ great sums of money granted, “ and debts incurred for that ser- “ vice; and inadequate to the “ exigencies of the various ser- “ vices, for which, it was the duty “ of the ministers to have provided “ at so important a crisis.”

On the other side it was insisted, that the terms of the motion were not supported by the facts stated. That it was exceedingly unfair and irregular to refer to matters which

fell in former debates, and much more so to any thing which might have been said in the other House; but that the absurdity as well as injustice, of passing a vote of censure, founded upon such loose and uncertain grounds, was so palpable, as not to require observation. They denied the facts, as to what, they said, were the main grounds of the motion; namely, the superiority attributed to the French in the channel, and in America; and with respect to the Mediterranean, they said, that it was utterly impossible to provide a suitable defence, to every part of possessions so widely extended as those of Great-Britain; some must be neglected; and in such circumstances, ministers must exercise their discretion and judgment, in attending particularly to the security of those places, which were either of the greatest importance, or the most immediately exposed. No fair or direct inference, they said, could be drawn, from the comparative state of the money granted for naval services, in the two interims, previous to the breaking out of the last and the present war; nor from that of the fleets, in the year 1756, and 1778. It was well known that the ships were larger now than at the former period; we had then a number of small sixtys and sixty-fours; none on that small scale are now retained; that rate has not only been greatly improved in point of size and strength; but its place has been in a great measure supplied in the navy, by a number of new seventy-fours, which are built on so large a construction, as to be nearly equal in point of tonnage to our old second rates. So that upon the whole, fairly com-

paring the exertions at both periods, it was not doubted, but that our force, in 1778, would be found substantially equal, to what it had been in 1756.

The contradiction given to the facts stated by Mr. Fox, along with the reference to matters in which they were themselves immediately concerned, called up the two great naval commanders, who lately had the conduct of our fleets, on the home, and on the American service. The noble lord who was newly returned from the latter, and who seconded the motion, (Lord Howe) observed the difficulty he was under in speaking, lest it should be supposed that what he said, might tend to any gloss, or undue explanation, of the affair which he had himself to settle with the ministers, and which he was pledged to that House to bring forward. But being on the other hand apprehensive, that his total silence might be considered as an approbation of measures which he totally condemned; measures, which, he was fully persuaded, were weak, incapable, and, if longer permitted or pursued, which must terminate in the destruction of the naval power of this country, and consequently of the country itself, he held it incumbent on him, as a public duty, to prevent such an opinion from prevailing. Among other professional matters, which he accordingly entered upon, he declared, that he thought the means put into the hands of administration, were such as enabled them to have a much more respectable navy on foot; that above all things, the Mediterranean ought to have been provided for; he being thoroughly convinced, that it would

would be impossible for this country at any time to preserve its naval superiority, while that service was neglected; but much more, when, as in the present instance, it was apparently abandoned.

He concluded, by informing the House of the motives which induced him to retire from the American service. He said, that he had been deceived into his command; that he had been deceived while he retained it; that, tired and disgusted, he had required permission to resign; that he would have returned as soon as he had obtained it, but that he could not think of quitting the British fleet in a state of danger, whilst it had a superior enemy in the American seas to encounter; that on the whole, his situation was such, that he had been compelled to resign; and that a thorough recollection of what he had felt, and what he had suffered, induced him to decline any risque of ever returning into a situation which might terminate in equal ill treatment, mortification, and disgust. That the same motives and sentiments which operated with respect to America, must carry equal force, in inducing him to decline all future service, so long as the present ministers continued in office; for that he was sufficiently convinced, by a full and decisive experience, that besides risking his honour and professional character in such an attempt, he could not, under such counsels, render any essential service to his country.

Admiral Keppel reprobated, in terms of the utmost severity, the daring assertion, as he called it, made in the face of that House, and in defiance of a fact known to

all Europe, by a noble member of the admiralty board, "that the Breſt fleet conſiſted of only ſeventeen ſhips of the line," at the time, that under the apprehenſion of a ſuperior force, he had returned from his cruize off that port. Among other curious particulars relative to naval affairs, which came out in his ſpeech, he obſerved, that in the years 1765, and 1766, when he ſat at the admiralty board, a ſcheme was propoſed and adopted, for keeping at all times, eighty ſhips of the line of battle, with a proportionable number of frigates, ready for actual ſervice; he likewiſe ſtated, that if that determination had immediately after been totally abandoned, and even ſuppoſing, that the whole navy had been annihilated, at the time that the preſent firſt lord of the admiralty came to preſide in that department, it appeared evidently from the papers before them, that the grants of parliament for the naval ſervice, within his adminiſtration, had been ſo ample, and unuſually great, that a fleet of eighty ſhips of the line, might have been conſtructed from the keel, and in actual ſervice at ſea, without any additional charge to the nation, by the cloſe of the year 1777; whereas, by that noble lord's own account, we had not at that period, in all ſtations at home and abroad, quite fifty, that were in condition for ſervice; and he believed that he ſhould be juſtified in ſaying, that we had not forty, fit for real ſervice. He farther declared, that the deficiency in number, was not, at that time, the moſt alarming circumſtance with reſpect to the navy; for, that he was well warranted in affirming,

that the ships in general were not in good condition, nor fit to bear long or difficult services. He also stated, the great loss which the naval service had sustained, from the want of a sufficient number of frigates; said, that when he had been advised with in November 1776, as well as upon a prior occasion, when foreign preparations were likewise so formidable as to excite an alarm, he had strongly pressed the necessity of speedily supplying the deficiency of frigates; notwithstanding which, and the obviousness of the matter, that essential part of the service had been entirely neglected; one consequence of which, among a number of bad ones, was, that great ships were obliged to be sent out upon every petty occasion, where frigates would answer the purpose equally, if not better; whereby the nation was not only put to an immense and unnecessary expence, in the repairs of those capital ships; but what was still worse, when they came to be wanted for actual service, they were found crippled, and in a great measure unserviceable. He concluded his speech, by declaring the admiralty board to be totally negligent, uninformed, and in every way unequal to the administration of the naval affairs of this country.

It was not easy to withstand, upon their own ground, such professional charges and opinions, coming from such authorities. In effect, the motion was principally opposed, upon the general allegation of its not being supported by any sufficient evidence, and the conduct of the admiralty defended, by a flat, direct, and unqualified contradiction, to almost every fact stated by the

opposition, whether with respect to the present, or to any past state of the navy. Facts and assertions so diametrically opposite, presented such an apparent opening for doubt, that a gentleman, well understood to be a friend to administration, though seemingly, in certain cases, rather doubtful or eccentric in his conduct, made that uncertainty his ground of argument, why the House could not in conscience come to a vote of censure; but, as he also said, that appearances were so strong, as to justify an opinion, that the ministers were culpable in some instances, he would therefore move the previous question, in order to leave the matter open for further enquiry.

The fulness of the House, however, afforded such a confidence to the minister in his strength, as prevented his being content to get rid of the business by a previous question. He said, that the facts and charges which had been stated, were so direct and important, as to admit of no medium; they must be either established or overthrown; and as they were not yet supported by a single tittle of proof, the most regular and parliamentary mode of proceeding, he said, for the present, was to meet them with a direct negative; which, he contended, would not by any means prevent a future enquiry into the subject, if any sufficient evidence could be found for its support.

The question being to be put after twelve o'clock, Mr. Fox arose, and requested that no person would give a vote in favour of his motion, who was not perfectly satisfied, that the general facts stated in it were fully proved, both literally

literally and substantially, and that the ministers had failed in their repeated assurances to that House and to the nation.

The motion was rejected upon a division, by a majority of 246, to 174. Although 18 gentlemen, who had not been present at the former division, now voted with the minority, and that they had likewise made one convert from the majority, (a gentleman who acknowledged in his speech the force, of that universal notoriety, and internal conviction, which were not generally admitted as evidence) yet we see that these additions, were so nearly ballanced by the present absentees, that the increase of number on that side was trifling.

The discontents in the navy now appeared in the most alarming degree. We have seen in the present instance, the determination of Lord Howe. In the preceding debate, Admiral Keppel declared in his place, that after what he had already experienced and suffered at their hands, he could never think of resuming a command, under the present naval administration; that besides its being inconsistent with a due regard to his honour, and exceedingly hazardous with respect to his professional character, he was fully convinced in his mind, that he could not, under their influence or conduct, promote in any essential degree the interests of his country; which was the only motive that could induce him to undertake its service. About this time also, or soon after, Sir Robert Harland, Captain Levelson Gower, Sir John Lindsay, and some other officers of high name and distinguished merit, either quitted the service, or declined acting under the pre-

sent system. And so general was the discontent and defection, that it was reported and believed, that no less than twenty, of the most experienced and distinguished captains in the navy, were on the point of throwing up their commissions on one day in a body. Nor was it supposed, that the prevention of this alarming event, was to be attributed, either to official management, or to governmental influence. Thus had the nation, the mortification and grief to behold, some of her greatest and most popular naval commanders, and of her bravest officers, declining her service, in a season of no small danger.

The success with which Sir P. J. Clerke, had carried his bill for excluding the contractors from Parliament, through that House, in the preceding session, seemed, so far, to afford some reasonable ground of expectation of success, for the present year; and perhaps he thought it probable, that after so much time for cool recollection, the lords would not think it fitting, to persist in their rejection of a bill, and their interference in a business, which seemed so peculiarly appropriated to the Commons, as tending merely to the independence and purity of their own body. And this opinion seemed the more feasible, as the lords had, a few years since, seemed to lay it down as a doctrine not to be departed from, that they should not at all interfere in any measure of regulation, adopted by the House of Commons for their own internal government.

However that was, the gentleman in question had moved on the 12th of February, for leave to bring in a disqualifying bill, on the
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the same grounds with those formerly proposed. As nothing could possibly be more mortifying and vexatious to ministers, than the continual renewal or introduction of this subject; which, however it might finally be disposed of, frequently called forth troublesome defences, or humiliating acknowledgements, and always afforded means for the stirring up of some disagreeable or odious matter, so they were now, as usual, exceedingly tender and irritable upon the occasion, seeming to consider the attack, as if it were no less personal to themselves, than to those who were its avowed and immediate objects. The motion was, however, carried upon a close division, by a majority of 158 to 143; having brought out in its way, no small portion of the usual matter of charge and defence.

Notwithstanding this gleam of success at the outset, the mover had soon the mortification to discover, that his favourite bill, was not likely to prove again troublesome to the lords, for that some considerable change of temper and opinion had taken place in that House upon the subject, since the period of its being canvassed there in the preceding session. Whether it were, that the gentlemen immediately concerned, had found means, in the intermediate time, to justify the purity of their conduct and principles, and to shew the innocence and public utility of their pursuits, in such a manner, as served to convert and bring over any part of their opponents, or from whatever other cause it proceeded, so it was, that the bill was lost upon the motion for referring it to

a committee, after the second reading; when March 11th. the question was rejected upon a division by a majority of 41, the numbers being 165 to 124. After which the minister moved that it might be laid by for four months, which was carried without farther trouble.

It would have appeared strange, if that spirit of toleration, which, within a very few years, has spread so wonderfully, though in different degrees, through, almost, every country in Europe, should have passed this alone, which had so long valued itself for its enlightened views and liberal disposition, in all cases whether of civil or religious government, without dispensing any share of that influence which it so freely communicated to others.

But they must have little attended to such subjects, who do not know the difficulty of shaking off the trammels of superstition, and the inveteracy of prejudice, amongst a people at large; and the still, perhaps, more arduous task, to cure laws and systems of government of those habitual vices, which have been so long grafted into their constitution, as to appear a part of their original nature. In fact, the number of penal and criminal laws relative to religious doctrines and opinions, which, in despite of a manly, and liberal philosophy, still subsisted in our code, would have disgraced that of a nation far behind us, in arts, science, and civilization.

Although a law had been passed some years ago, for removing some of those legal restrictions, which had more particularly affected our
dissenting

dissenting protestant brethren; yet more still remained to be done in their favour; and that bill was considered, rather as an opening towards future indulgence, as the spirit of the times should ripen to a higher degree of liberality in religious matters, than as immediately curing all their present grievances. The relief granted to the Roman Catholics in the preceding session, had laid the ground fairly open for a present application to parliament for redress; and the liberal opinions known to be held, and professions made, by some of the Bishops on that subject, seemed to obviate the apprehensions of an opposition in that quarter where it was most to be expected and dreaded. Indeed the public losses, calamities, and dangers of the times, seemed to render it now a matter of necessity, as it had at all times been of duty and wisdom, to unite the interests and affections of all orders and denominations of men in one common bond of union, and to concentrate into one mass, all the strength that could yet be found in the remaining parts of the empire.

In these circumstances, Sir Henry Hoghton, having on the 10th of March opened the way by an introductory speech, concluded by moving, that the House should resolve itself into a committee, in order to consider of granting further relief to protestant dissenting ministers and schoolmasters. The motion being very generally agreed to, Mr. Frederic Montague, by whom it was seconded, was appointed chairman of the committee, and the bill accordingly framed and carried through, under his auspices. It however brought out some considerable debate in its

course, it being eagerly opposed by a few gentlemen, who still continued wedded to antient high church doctrines and principles. But this opposition, was, in effect, confined only to debate; it being so weak in point of number, that a motion which was made on the 17th of March by Sir William Bagot, and seconded by Sir R. Newdigate, for putting off the consideration of the bill for four months, was supported upon a division by only six voices, to a majority of 77. The bill was likewise carried through the lords with great facility; and received the royal assent in the course of the session.

The unhappy consequences of the American war, had, by this time, affected our sister kingdom and island in the most ruinous degree. For although the whole amount of her immediate losses, considered merely as a specific sum in point of calculation, could hold no comparison with that sustained by England, yet the lesser loss, was more severely felt by the poorer country, than the greater, had hitherto been, by that so vastly exceeding it in wealth, and which set out with so immense a capital in every species of commerce. Other causes, than those losses immediately sustained, and directly proceeding from the American war, concurred in accumulating the grievances and distresses of Ireland to a most alarming pitch. Besides the antient restraints upon her commerce, an embargo had been continued from the year 1776. Thus, their great staple commodities of beef and butter, were shut up and perishing in their warehouses, at the very time that their great, their only free, and consequently only valuable

valuable manufacture, the linen, was contracted under the destructive and fatal blight of the American war.

Although nothing could add to the distresses occasioned by the embargo, yet the circumstances attending it, or which were supposed to attend it, served to render that measure more intolerably grievous to the people. It was said, and seemingly upon good grounds, that it answered no beneficial or useful purpose whatever. It neither appeared then, nor since, that the French armaments were deferred or laid by, through the want of Irish provisions; and their West India islands were so far from being ruined upon that account, that it was well known that they were supplied upon as good terms as our islands with many articles.

So far, they alledged as to the point of benefit. On the other hand, the Irish beheld with grief and dismay, that the northern parts of Germany, and other countries adjoining to the Baltic, were with great avidity preparing to grasp at that beneficial trade, which was slipping out of their hands. They had already begun the experiment; were sparing no industry or expence, in procuring proper salt for the purpose, and proper persons for instructing them in the art of curing and packing their beef, and had even sent some considerable quantities of it to the French market. Although these samples could not come in any degree of competition with the Irish beef in point of goodness, yet the attempt, or even the idea, was exceedingly alarming. The vast profits which the supply would afford, through the lowness of rents, and the cheap-

ness of cattle in those countries, would induce great improvements both in the articles of feeding and curing; and there are few ignorant, that a branch of trade once lost or transferred, is scarcely ever recoverable. To render all these circumstances of loss and apprehension the more vexatious and grievous, it was universally said in that country, and not without some considerable concurrence both of words and opinions in this, that the source of all these mischiefs was nothing more or less than a job, which owed its creation, or at least its continuance, merely to the design of throwing immense fortunes into the hands of some favourite contractors. Nor was it of any avail, how unfounded this opinion might possibly be; the effect was the same, as if it had been established by the firmest authority.

Such an unhappy combination of things, must have generated discontent in any people; but there were some local and peculiar circumstances relative to Ireland, which, exclusive of the internal weakness, proceeding from vices in her government, and the former shackles on her trade, served to render the calamity more sudden and conclusive, than it might have been perhaps in some others.

The rent of lands in Ireland, within the last thirty years, had been very much increased. Although this rise in the rents, must have been generally supported by the prices given in those markets which took off the produce of the lands; yet it was asserted by those who were acquainted with that country, that competition, and the spirit of speculation, which had lately produced such pernicious effects

fects in both kingdoms, had their share in the rise. This speculation failing, and the competition along with it, lands fell; the land owner was distressed, the farmer ruined; and a very general failure of all credit ensued.

Under these unhappy circumstances, the exceedingly numerous populace of that country, (where the middle rank of life is but thinly scattered) consisting of the labouring and manufacturing part of the community, were turned adrift, without employment, and consequently destitute of all the necessaries of life. Although all the means were used, which great and numerous acts of private charity, and liberal public subscriptions, could possibly reach to, for alleviating this dreadful calamity, and that 20,000 poor, were said to have been daily and charitably fed, for some considerable time, in the city of Dublin only, yet all these efforts could only cover a small part of the evil, and it was evident, that nothing less than employment could procure that subsistence, which their daily labour had hitherto so usefully provided.

It is probable that much of the extremity of this distress, had arisen from that fluctuation in the state of commerce, which happens in the best of times. But the effects of this fluctuation, being superadded to the peculiar calamities of the time, sunk deeply into the minds of the people of that kingdom. Of course, it called on the attention of many in this; though not so early, nor with so much system on the part of government, as could be wished. The business was, however, in

some degree brought forward before the holidays, by three members of the House of Commons, who derived their titles from, and whose fortunes principally lay in that kingdom. They stated in strong colours the distresses of that people, and shewed the necessity to ourselves of affording them speedy and substantial relief, which could, as they asserted, only be done, to any effect, by removing those impolitic restrictions on their trade, which owed their rise merely to the narrow spirit of monopoly, operating upon mistaken notions of all true commercial principles; these restrictions being, in reality, as contrary to the real interests of this country, as they were absolutely ruinous to Ireland. They accordingly gave notice, that they would after the holidays move for a bill or bills, for granting commercial relief to that country.

Notwithstanding this opening, several things seemed to be wanting to afford a prospect of success to the proposed measure. It was to be lamented that no regular plan had been formed, either with respect to the precise nature, or to the extent, of the relief which was to be proposed or expected. The minister took no part in the business. Those of the opposition who supported the relief to Ireland in a former session, supported the present bill.

We shall bring together in one point of view, without regard to time or occasion, a few of the reasons that were urged at the different periods in which this business was agitated, whether in support or opposition to the proposed measure. It was contended on the one side, that leaving all ideas of
liberality

liberality and of justice out of the question, we were now impelled by absolute necessity—by a regard to our own present security, and future preservation, to cherish and preserve the remaining parts of the empire, and to concentrate all the people, in one common bond of union and defence, which could only be done, by a general communion of interests, and participation of benefits. That the people of Ireland expected, and had the strongest right to expect relief. That this was no time, after the heavy loss of our colonies, and of our American commerce, to hazard that of our sister kingdom, whether by invasion or separation, one of which was already threatened, and the other equally to be apprehended, if we did not speedily afford that relief which was expected, and now proposed.

For, they said, that however exemplary and invincible the loyalty of Ireland had hitherto been, and however singular her long enduring sufferings, patience, and forbearance, there were certain fixed limits to those qualities and dispositions of the mind, beyond which human nature was utterly incapable of passing; and was even liable to the danger of recoiling with great violence in the attempt. But if neither of those dreaded events, of separation or conquest, should take place, and that we should still retain the inglorious and unprofitable boast, of remaining the sole tyrants of the soil, we should even in that case, infallibly lose all that could stamp any value upon it,—we should lose the inhabitants. For it was evident, that as soon as a peace took place, if our oppression, and their

miseries consequently still continued, the people of Ireland would inevitably, under the impulse of the first law of nature, emigrate to America; whither they would convey their manufactures, arts, and their industry. It was already too well known, that the American armies were principally recruited, and their best troops in a great degree composed, of those unhappy emigrants from Ireland, who being driven from their country by want and oppression, were compelled, under an equal necessity, to take up arms in a quarrel, in which they had no natural interest, and to shed their blood in a contest with their friends and brethren.

They stated that the Irish were our best customers in many great articles of our merchandize and manufactures; they shewed the great wealth, with the additional strength and power which we had so long derived from that country; they endeavoured to demonstrate, the infinitely greater advantages of every kind which she was capable of affording, under a wise and liberal system of government; and insisted, that the fruits of every benefit we afforded to her in commerce, would come back to ourselves with accumulated interest. To justify their various assertions, and establish their facts, they had moved for various papers, from which they shewed, That the exports from England to Ireland, on an average of ten years, amounted to 2,057,000*l.* yearly.—That the exports from Ireland into England, upon an average of the same time, did not exceed 1,353,000*l.* by the year.—That consequently, the balance of trade in favour of Eng-

HISTORY OF EUROPE. [127

England, exceeded seven millions sterling in that time.—That this was exclusive of the immense sums drawn from that country every year under the following heads—viz. Rents to absentee—Pensions, and the emoluments of places to those who never saw the country—Appeals in law and equity—Business and pleasure.

They also shewed, that the decrease of the exports from England to Ireland, during the last two years of calamity in that country, amounted, upon an average, to no less than 716,000*l.* per year. From thence they argued the prodigious loss to the revenue, as well as to the trade and manufactures of this country, which must proceed from a continuance, and a consequent increase, of the distresses of that country. They concluded by asking, whether such a country, and such benefits as we derived from it, were to be wantonly played

gratified all our American colonies.

On the other side, it was not believed that the distresses of Ireland were so great as they had been represented; but if the melancholy description was really true, it was not so much to be attributed to the trade-laws here, as to mal-administration there; to faults in the internal constitution of their government, and to general mismanagement in the conduct of their affairs. These were matters which should be required into and redressed: and without that, no substantial relief could be afforded. They said that the unhappy consequences of the American war were evident in both countries: and that Ireland bore no more than its share of the calamity; that if we were famishing, our Americans were starving; for the same reason, the cheapness of our manufactures



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render of those advantages in trade, which they considered as their birthright.

The first propositions held out in favour of Ireland, although not specifically applied or moved for, went to the granting of her a general exportation, in all matters, except with respect to her woollens, (that article being reckoned too sacred, to be yet meddled with)—The establishment of a cotton manufactory, under that right;—with a liberty of trading to and from America, the West-Indies, and the coast of Africa. But these being thought, on the other side, too general and extensive, as well as too alarming to the manufacturers here, they were by degrees narrowed, until at length, Lord Newhaven, who conducted this business in the detail, entered into a kind of compromise, on the 15th of February, to give up the general outline of relief, and to confine himself to some particular and specific proposition. He accordingly moved, on the 10th of March, that the House should (on a given day) resolve itself into a committee, to take into consideration the acts of parliament relating to the importation of sugars from the West Indies into Ireland.

The object of this motion, was to repeal that clause in the act of navigation, by which all ships

laden with sugars, were compelled to bring their cargoes directly to England, from whence the quantity necessary for the consumption of that country, was afterwards to be re-exported to Ireland. As the minister had still kept himself clear of the business, the question was fairly and coolly debated on both sides, without any other appearance of party, than what merely arose from the locality of representation; and after a full discussion, was carried by a majority of 47 to 42.

In the mean time, the clamour without doors had been much fainter, and the opposition from the manufacturing districts weaker, than they had been in the preceding session, and than had been now expected. Glasgow and Manchester, however, petitioned; and the minister's late warm partizans in both, began now to accuse him of the duplicity, which they charged to his present system of neutrality. This clamour and reproach suddenly brought him to a determination; and setting his face totally against the proposed relief, it was accordingly rejected upon a close division; the question for the speaker's quitting the chair, in order that the House might, on the day appointed, resolve itself into a committee, being lost only by a majority of 62 to 58. March 18th.

C H A P. VII.

Debates on the army extraordinaries. Motion for printing the estimates rejected upon a division. Committee on East India affairs. Resolutions moved for and carried, relative to the violence committed on the late Lord Pigot in his government. Motion for prosecuting certain members of the late council at Madras, agreed to. Mr. Fox's motion, for the removal of the first lord of the admiralty from that department, is, after long debates, rejected upon a division. Committee of enquiry into the conduct of the American war. Amendment moved to the motion for the examination of Earl Cornwallis, by the minister, and carried upon a division in the committee. Amended motion then put, and rejected upon a division. Third motion rejected. Transactions in the committee, discussed in the House, and rescinded. Committee revived. Earl Cornwallis, and other witnesses examined, in behalf of Lord and Sir William Howe. Counter evidence proposed, and agreed to. In the interim, General Burgoyne's evidence brought forward and examined. Counter evidence examined. Committee suddenly dissolved.

THE large amount of the army extraordinaries in the preceding year, which exceeded two millions, and, was said, to have about doubled the charge under the same head, during any year of the late glorious war, when our military operations were conducted with such vigour and effect, in every quarter of the world, occasioned much complaint March 22d. and censure on the side of the opposition, and a motion from Sir P. J. Clerke, that the account should be printed for the use of the members. He observed in support of the motion, that from the great length of the estimate, the single copy on the table could not be read, much less examined or comprehended, by one tenth of the members, until the question was brought before them in debate, and a resolution proposed to be passed blindfold upon it. He said farther, that in a matter of such importance to the

public at large, in which every man without doors as well as within was immediately concerned, it was fair and necessary, that they should know the manner in which such immense sums of their money were disposed of.

The minister opposed the motion, as new, unprecedented, and directly contrary to the practice of the House. The estimate was a matter which undoubtedly concerned the public; but he could by no means admit, that it was therefore to be submitted to the discussion of the populace, and of the coffee-house readers of newspapers. The real public, were the representatives of the commons of England in that House; they had a right to information; but he would never allow, that the people without doors had any such right. He also said, that although he was not prepared to answer it precisely, he was fully persuaded and confident, that the

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affor.

assertion was not founded, of the present account of extraordinaries, exceeding that of any year of the late war. But it was, however, to be remembered, that the vast distance of the seat of action, must necessarily enhance the expences of the present war.

On the other side, the noble lord was desired to recollect, that if the motion was new and unprecedented, so were likewise the nature, the conduct, and the consequences, so far as the latter had yet appeared, of that war to which the requisition related. They said, that the present enormous account of more than two millions, was a matter not only of the most alarming nature, but which went directly home to every man in England; it as materially affected those without, as those within that House. The whole body of the people of England, whom the noble lord politely refrained from calling a mob, but whom he designated under the terms of *populace*, and *coffee-house readers*, were the very identical persons, who were to pay this enormous account of extraordinaries, and who seemed therefore to have some right to be informed, and even satisfied, as to the expenditure of their own money. They said, that the extraordinaries charged on this account, amounted to very near 40*l.* a man, exclusive of the standing pay, clothes, arms, and ammunition, of all who had served in the American army, during the year 1778; and that this enormous expence was incurred in a year, not only distinguished either for inactivity, or ill success; but in which this country had not near so many soldiers to

maintain in America, as she had in the two preceding, when the charge under this head, did not reach to within a million of the present account.

The minister, and his friends, controverted some of the facts and calculations made on the other side. He observed particularly, that the vast distance of the field of action, placed him under a necessity of answering the bills drawn upon him when they came; as without that degree of confidence on the side of government, with respect to those who were entrusted with the care and supply of the army, it would be impossible to conduct so vast and complex a business. He allowed, that he could not possibly answer for the specific application of the extraordinaries; but he had no doubt that they were properly applied; and if it should happen in any particular instance to be otherwise, the error, imposition, or peculation, would be readily discovered; and speedily redressed, when the particular accounts were, in due time, received and examined.

He still persisted in objecting to the printing of the estimates; and the question being put, the motion was rejected upon a division, by a majority of 130 to 104.—The subject of the extraordinaries was, however, productive of much subsequent discussion, as well with respect to particular articles of the charge, as to the magnitude of the whole, and the indecency, which was charged in very severe terms, of passing so enormous a sum in the lump, by a single vote, without examination, and that done at a late hour, and in a thin House.

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HISTORY OF EUROPE. [131

April 16th. The House being in a committee on East India affairs, soon after the Easter recess, Admiral Pigot entered into a detail of the causes which led to, and the circumstances which attended, the appointment of his brother, the late Lord Pigot, to the government and presidency of Madras. Having stated, that the great objects and views of the company in that appointment, were, in the first place, the restoration of the King of Tanjore to the throne and dominions of his ancestors;—in the second, the pursuit of such measures as would restrain the rapacity and ambition of the nabob, from breaking out into such future acts of violence and injustice;—and in the last, to endeavour to counteract and remedy that undue, alarming, and dangerous influence, which that nabob had so successfully and glaringly established, in the English council and government in that settlement.

He then proceeded in a connected and regular detail, to shew the measures pursued by the late lord, for answering the purposes, and attaining the objects, proposed by his appointment; as also the consequences of those measures; taking in, of course, the restoration of the King of Tanjore, the approbation of the council to that measure, the subsequent revolution at Madras, the violent seizure and confinement of Lord Pigot's person, under a great and unusual military guard, those marked and striking circumstances which attended his long imprisonment, and his death finally, in the hands of the conspirators.

While he shewed the greatest

sympathy in describing the sufferings and death of his brother, the affection and warmth with which he vindicated his conduct and character, and stated his uncommon public and private virtues, was no less laudable. On that ground, to shew the clear uprightness and immoveable integrity of the late lord, he stated, that he had been offered ten lacks of pagoda's, to withhold, only for a short given time, the reinstatement of the King of Tanjore; that upon his refusal, an additional offer of five lacks more was made and refused; the whole bribe, amounting in value to about six hundred thousand pounds in English sterling money. As a farther proof and illustration of this cleanness of hand and integrity of heart, and how far the late lord was superior to that general corruption, which (he said) saps the whole foundation of the company's trade and government at Madras, he shewed that he died so little enriched by his then government, that his son-in-law, Mr. Monckton, had been under a necessity of selling all his houses and effects in India, in order to discharge the debts which he had contracted there. And yet, said he, what was the return he received for this singular conduct? for having no single object in view while he was in India but the interests of the company, and a punctual compliance, at all hazards, with their instructions? His personal freedom was violently and disgracefully invaded; and after he had been first deprived of his liberty, and that his life seemed for many months to have been suspended only by a single hair, he was at length de-

prived of that also.—Would any man pretend to say how?

Although the countenance of the committee did not seem to indicate any doubt, with respect to the facts or circumstances relating to the late transactions at Madras, the admiral desired leave to call a single, but essential evidence to the bar, in order to afford a clear demonstration of the glaring attempts which were made to influence and corrupt the council, and to bring them over to support the nabob in his designs, in direct opposition to the orders, as well as to the intentions of the company.

The gentleman brought forward upon this occasion was a Mr. Dawson, who was one of the council of Madras, previous to, and during the time of the revolution in that government. His evidence went directly to personal applications made to him at different times by the nabob's son, and, as he understood and presumed, on the part of his father. That on one of these occasions, he had been offered by him a specific bribe, amounting to a considerable sum of money, only for staying away for one particular day from the council, on which a question of consequence relative to Tanjore was to be agitated. And, that the commander in chief of the forces, who was likewise high in the council, had advised him to absent himself on that day, as was desired. He said, at first, that his memory did not serve him to fix exactly the precise sum which had been offered as a bribe; but that he was sure, it was at least a lack of rupees; (which amounts to about 12,000l.) Towards the

close of his examination, he, however, declared positively, that the sum offered was a lack of pagodas; (about 40,000l.) and not a lack of rupees.

Admiral Pigot then moved three resolutions, stating the matters of fact, relative to the violence first committed, and afterwards continued to his death, on the person of George Lord Pigot, a member of that House, in his arrest and confinement by and under a military force.—The names of the self-created council, the revolution they effected, and the orders they had issued to the military on that occasion.—And, the orders issued by the company from hence, for the trial by courts-martial of those officers, who had arrested and confined, under a military force, their governor and commander in chief, the late lord.

Although on a former discussion of this subject, the minister had seemed little disposed to countenance any thing similar to the motions now made, yet on the present occasion, he appeared so sensible of the fixed opinion, and general disposition of the House upon this subject, that he made no direct opposition to the resolutions; and only objected to those words in the first,—“being a member of “this House,” which, he said, as no breach of privilege was complained of, might better be omitted. This objection was not, however, listened to; and the three resolutions were separately carried, nemine contradicente.

The admiral then made his concluding motion for an address,—“Praying his Majesty, that he “would be graciously pleased to “give directions to his attorney-general,

HISTORY OF EUROPE. [133

“ general, to prosecute George Stratton, Henry Brooke, Charles Floyer, and George Mackay, Esquires, for ordering their governor and commander in chief, George Lord Pigot, to be arrested and confined under a military force; they being returned to England, and now within the jurisdiction of his Majesty’s courts of Westminster Hall.”

It was remarkable, that the first gentleman named in the address, and who had been the principal mover and actor in the revolution at Madras, was, at this critical instant of time, personally present in his place, as a member of the House of Commons, to which he had been lately returned; thereby verifying the prediction which had been thrown out by a celebrated member of the opposition, at the time that this business was formerly agitated in parliament. That gentleman, accordingly entered into some defence and justification of his own conduct, as well as that of his colleagues; resting principally upon the necessity of the measure, through the violent and arbitrary acts which he attributed to Lord Pigot; and stating the approbation which it received from the governor and council of Bengal, as evidence of its propriety. This vindication produced, however, so little effect, that the present motion was carried as unanimously as the preceding; and the House being then resumed, the report was immediately received from the committee, and the resolutions without any delay confirmed.

Notwithstanding the constant rejection, which the various resolutions of censure upon the conduct

and government of the naval department, proposed by Mr. Fox, had hitherto met with, that gentleman seemed determined not yet to abandon his pursuit, and to bring forward the aggregate of those facts, real or presumed, contained in all the former, as the foundation of a new motion, which should be rendered conclusive by going directly to its object. Having accordingly given the usual preliminary notice before the Easter recess of his intention, he moved an address to the throne, for the removal of the Earl of Sandwich from his Majesty’s presence, councils, and service, on account of misconduct in his office, as first commissioner of the admiralty, and of the general ill state of the navy at the most critical seasons under his administration.

As the mode of proceeding seemed new, and lay open to the following difficult train of objection and reasoning, viz. Have not the presumed facts, the motives, and circumstances, which are now laid down as firm ground to proceed on, been already urged, and already rejected, by as many distinct negatives when they were separately proposed? Shall we now agree to come to a general vote of censure upon an accusation, which has been negatived in all its constituent parts? And shall we, as judges, proceed to a direct censure, and consequent punishment, of the party accused, after we have already declared to all the world, that not one of the allegations against him is true?—Mr. Fox endeavoured with his usual ability to combat these objections, and to lessen their future effect, by taking them

them up before they were directly applied.

H: argued, that although the House did not concur in a vote of censure on any one of the separate grounds of accusation, it might well concur upon the whole charge collectively taken. The great waste of the public money, the imposition on the nation, and the loss and danger which it had sustained, through the misrepresentations; and delusive promises held out by the noble lord in question, our inadequate state of defence in the preceding month of June, the neglect of reinforcing Lord Howe, at a time when the fate of our American fleet, army, and of our share or hope in that continent, nearly depended upon it, with the abandoning of our trade and fortresses in the Mediterranean, might none of them singly, any more than of the other articles of accusation which had been brought forwards, contain sufficient cause of removal, in the opinion of a majority in that House; but taking them in the aggregate, they would furnish matter well worthy of the vote of censure which he proposed, on the clear ground, of wilful neglect, or of gross incapacity.

The reason of such a mode of determining upon a complex charge, he said, was obvious, and came plainly and fully within the inquisitorial power of the House. The House was competent to enquire, to examine, and to censure. They might accuse, but could not punish. When criminal charges, reciting specific offences, were made, they could only be decided upon in courts of criminal justice. On these occasions the House of Commons, upon impeachments, act as

the grand inquest of the nation. The present proceeding was of a different nature, and not having a shadow of criminality attending it, did not call for that specification and certainty, which the law justly and wisely requires, when a man is questioned in a court of public judicature, and put upon a trial, on the issue of which may depend his honour, his property, and his life.

He stated precedents to shew the usage of the House upon similar occasions, particularly with respect to complex and aggregate charges; and drew the line accurately between removal and punishment—Criminal accusation, and charges only of censure. He then went progressively through the various charges of misconduct, incapacity, ignorance, or wilful negligence, which he laid against the admiralty, as arising merely and directly from those uncontroverted parts of their conduct, which he pointed out, and which were publicly known. He said the business referred to them for their consideration might be comprized within a very narrow compass. The whole might be included in a few short questions, and an answer of no great length.—Was the first lord of the admiralty equal to discharge the functions of his office, with safety to the state, and with honour to the nation? Had he hitherto done so? What reasons are there for supposing, that he who has failed in the performance of every part of his past duty, shall act more wisely or capably for the future?—The only answer, he said, that could be deduced from fair and impartial reasoning, supported by common sense and experience, must be,

be, that it would be the last degree of folly and madness to expect, that a person, who by his ignorance and gross misconduct, had brought or suffered this country to fall from the highest pinnacle of fame, and naval glory, to the last stage of national degradation, weakness and disgrace, and that rapid fall, contrary to every principle of public opinion and experience, should nevertheless become at once so suddenly illumined, as to prove equal to the arduous task of redeeming her from that calamity and danger, and of restoring her to her former reputation and prosperity.

It cannot be expected, after what we have already seen upon this subject, that any new ground of argument, excepting merely as arising from some new charge, could have been opened in the present debate. Notwithstanding the distinction so ingeniously stated of the separate and collective matter, it was evident, that the real merits of the cause had been discussed and decided before; and that this was no more than a new mode of bringing the same subject before the House, without the violation of parliamentary rules. The house had already passed its judgment; and the public had passed theirs.

The great injury to the nation in losing at this critical season the services of her best naval officers, and the danger to which she was exposed through the alarming and general discontents which now prevailed in the navy, afforded the only new matter that was brought in support of the motion; for as these misfortunes were charged in the most direct and unqualified terms to the first lord of the admiralty, it was from thence insisted, that if

the other parts of his conduct were even laudable, and that no other cause existed for his removal, that alone was of such importance and magnitude, as to render it a matter not only of expedience and wisdom, but, in the present circumstances, of absolute necessity.

This brought out much direct or implied censure on the conduct of Lord Howe, and of Admiral Keppel, who were charged with setting that example, and spreading that discontent in the navy, which were so pernicious to their country, and so dangerous to the state. For although the ministers thought it convenient to preserve (in their own persons) some terms with those two commanders, particularly the former, who, (with his brother, they wished by all means to wean or divert from that enquiry which they were bringing forward into the conduct of the American war) yet some of those who were, or who seemed to expect to be in their confidence, were so far from being guided by this example, that they missed no occasion during the session, of expressing their sentiments with respect to the two admirals, in a manner which carried the appearance of studied and premeditated attack; and without confining themselves to present matter, carried their censures back to the past military and professional conduct of those officers. It was now advanced, that when military commanders grew too great for the state, and set so high a rate upon their services, as to expect a compliance with extraordinary and unreasonable conditions, as the price upon which they would exert them in the defence of their country, such proposals should not only be

rejected with that contempt and disdain which they deserved; but, however great the professional merits of the proposers, it was fitting, that they should at all future times continue to experience the just indignation of their country, by her constantly despising those services, which they had withheld in the hour of her distress. It was little to be doubted or apprehended, they said, that there were now, and would be at all times, a sufficient number of brave and experienced officers to be found in the British navy, who only wanted to be brought forward, in order essentially to serve their country, and whose zeal and loyalty would abundantly compensate for the absence of those who had grown beyond her service.

This heavy charge and reproach, necessarily called up the two admirals, to a justification of their past and present conduct, which led of course into a fresh detail, of the late and immediate transactions between them and the admiralty; and also brought out in the course of the debate, partly from them, and still more perhaps from others, no small share of exceedingly bitter charge, retort, and censure, with respect to the conduct and views of the ministers in general, and of that board more particularly, in all matters that related to the military service. They said, that a visible, settled, concerted, and scarcely disavowed scheme, was now in full execution, for driving from the service by sea and land, or for ruining while in it, not only all whig, or popular, commanders and officers, but all those gentlemen of independent spirit and principles, who ventured to think for themselves in political matters, and ho-

nestly to discharge the duty which they owed to their country as senators. That to this object was sacrificed, along with the means of our immediate defence and security, every possible prospect and hope of success, in that ruinous and dangerous civil and foreign war, in which they had wickedly involved the nation. And, that in order to palliate, or in some degree to disguise, this atrocious scheme, from the observation of the public, their first measure was an attempt to ruin the reputation and character, and thereby to deprive of their popularity, and to strip of their good name, those officers whom they had secretly devoted to destruction.

They charged, that the ministers finding their malice and treachery had failed, in the direct attack which they had made on the life and honour of Admiral Keppel, after all the pains they had taken to inveigle him, merely for that purpose, into the service, they had now only changed their mode, without in any degree abandoning their purpose, so far as it yet appeared to them to be practicable, and were now indirectly trying him a second time at Portsmouth, under the mockery of trying his accuser, against whom there was no charge laid, nor prosecutor to support it if there was. They asked to what other purpose the institution of that trial, circumstanced, and attended with such extraordinary manœuvres as it was, could possibly be attributed, excepting to the vain hope, of directing some side wind from thence which might affect the reputation of the admiral, and that the acquittal of their favourite, might, under their sanction, authority and management, be perverted

to the purpose of raising some suspicions, injurious to the honour of those able and distinguished officers, who had either composed the court by which he was tried, or afforded that evidence which displayed to all the world the iniquity of the prosecution? For the admiral, they said, had refused, and disdained, to prosecute his accuser; and nothing lay against him but the record of that sentence, of having carried on an unfounded and malicious prosecution against his commander; and that sentence, no future court could reverse, no trial acquit from, nor no power undo. But this attempt, they said, would be found as vain as it was wicked; and the admiral's reputation, as well as the honour of those brave officers, were far beyond their reach, and superior to all the effects of their malice.

It will not be supposed that such charges were not answered or returned with equal acrimony. They were said to be so false, so extravagant, so absurd, and so monstrous, that they could only have originated, from the rage of disappointment, the madness of party, and the malevolence of faction. It was insisted, that the admiralty had behaved with the greatest candour and fairness with respect to the two officers in question. The admiral had been acquitted, and his honour thereby happily cleared. So far, if the admiralty had not acted merely officially, he would have owed them a favour, for affording him an opportunity, which redounded so much to his advantage. As to his adversary, was he to be denied that equal justice, which was so fairly distributed to Admiral Keppel?—Was a trial, in the one

case, an injury, and in the other, a favour? If the vice-admiral was innocent, it was equally fitting and just, that his honour should likewise be cleared; or if guilty, it was highly necessary that he should be made amenable to the justice of his country.

The House divided on the question at a late hour, when the motion was rejected by a majority of 221, to 118, who voted for the removal of the first lord of the admiralty.

The noble brothers who lately commanded on the American service, had omitted no occasion during the course of the session, of pressing in the strongest terms, for an enquiry into the conduct of the war, so far particularly, as they were themselves immediately concerned. They supported this urgency of application, and the propriety of the measure, upon the different grounds, of public utility, and of particular justice. They stated it to be a matter of great national importance, that the real causes of our failure, hitherto, of success, might be thoroughly known and understood; as a proper application of that knowledge, could only afford any rational hope of greater advantage in the further prosecution of the war. It was likewise a satisfaction due to the people, for the heavy losses they had sustained, and the immense expences they were at, to let them see the true state of their affairs; as it would be a farther assurance and encouragement to them to discover, that the causes were removed, which had hitherto disappointed their expectations. With respect to themselves, their endeavours to serve their country, had been productive

ductive of such a torrent of invective, and unceasing obloquy, as had not perhaps been equalled in any former period; although ministers themselves were silent, and had not ventured to bring any charge against any part of their conduct, they had full reason to believe, and the world held the same opinion, that this abuse proceeded wholly from their hireling emissaries, and pensioned writers. Their conduct had likewise been publicly arraigned in that House, by persons either in office, or who were at least known to be in the confidence and favour of ministers; whilst the latter, thoroughly sensible as they were of the injustice of the censure, and with the full means of their justification in possession, used not the smallest effort for that purpose. On these grounds, they were under a necessity, they said, of demanding a parliamentary enquiry; that if any blame was due in the conduct of the American war, it might be applied to its proper object; and if they were totally clear from it, as they trusted, they might thereby obtain justice, in the vindication of their honour and character.

On the other hand, the ministers, among other causes, objected to the enquiry, as being totally needless. Government had laid no charge against the noble brothers; and on the contrary, several parts of their conduct had met its approbation. As to the abuse or charges contained in newspapers or pamphlets, any more than the opinions held, or censures thrown out by individuals, whether within or without doors, they could not surely be considered of sufficient moment, to authorize the bringing out of an

enquiry, which must necessarily break in so prodigiously upon the time and attention of the House, and that in a session, when there was already so much business of importance before them, and so much more still in expectation, or at least within the line of probable contingency. As to themselves, whatever their private opinions in certain matters might be, they had no share in any attacks that were made upon the characters of the noble brothers without doors, nor arraignments of their conduct within. Of these matters they were totally innocent.

Altho' the ministers did not approve of the enquiry, they, however, acquiesced in the motions for laying the American papers before this House; which were accordingly brought forward in great abundance, and continued on the table during a great part of the session. In these were included the whole correspondence between the ministers, and the commanders on the main service in America, from about the time of Sir William Howe's arrival at Boston, in the year 1775, to his return from Philadelphia, in 1778; together with a great number of accounts, returns, and other papers, tending to shew the state, number, effective strength, and condition of the army, at different periods of the intermediate time; their real movements and operations; as well as the different plans of action which had been proposed, discussed, or concerted, by the ministers and generals.

General Burgoyne was no less importunate in this session, than he had been ever since his return, for an enquiry into his own conduct, and into all matters relative to the
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Canada expedition. We have already seen, that his particular situation under the convention of Saratoga, had been laid down as an insuperable obstacle to his gratification in that respect; and it may be conceived from obvious causes, that his complaints and applications were now full as little attended to as those of the other commanders. The northern expedition, was, however, so connected in its consequences with the operations of the grand army, and they so materially affected the event and general fortune of the war, that it was not easy to separate matters so blended in any course of enquiry; and this difficulty was increased by the circumstance, that Sir William Howe had been specifically arraigned both within doors and without, for undertaking the southern expedition, at the time that he should have waited to facilitate and support the operations of the other army on the north river. General Burgoyne accordingly seized this opportunity of bringing forward his own business, as necessarily belonging to and inseparable from the rest; so that the House was in possession of the whole correspondence of the three commanders, and of all the documents relative to the different services.

April 29th. Although the House had gone so far as to form itself into a committee for enquiring into the conduct of the American war; had made a previous application to the House of Lords for the attendance of Earl Cornwallis, as an evidence, and had listened for two hours, with the greatest attention, to the very clear and able narrative of his conduct, delivered in the plain eloquence of

a soldier by Sir William Howe; yet, the noble lord at the head of affairs, who had all along expressed the utmost disapprobation of the enquiry, was still determined to quash it. It was said in general, that there had been no necessity, nor even occasion at any time for the enquiry; but that if there had, that necessity or occasion was now fully removed, as well by the able explanation of his conduct given by the honourable general, as by the papers before them. That almost every part of the correspondence went to shew, the utmost satisfaction of government, and its warmest approbation with respect to the services of the two noble commanders; that the personal declarations of the ministers shewed that they still retained the same sentiments; and that a doubt could not be entertained in the committee on the subject. That without regard to occasion, the commanders had hitherto been indulged in bringing forward every thing they proposed, merely to satisfy their delicacy; but that end being attained, it would be absurd to pursue the subject any farther; there was neither charge nor answer; and it would be merely combating a shadow.

But they went farther, and contended, that if matters had been different, and that an accusation had been really laid against the officers, that House was totally incompetent to any enquiry into, or any decision upon military matters, Military charges and accusations, must be enquired into, tried, and decided upon, in their own proper courts; and no where else. It would be in the highest degree absurd to suppose, that gentlemen sitting

ting in that House, should pretend to judge of the proper distribution of a large military force; of the movements of columns, the evolutions of brigades, or the good or bad dispositions made in a field of battle. The minister seemed to think, that the conduct of ministers was the latent object of the enquiry, with a view of injuring them by a side wind; of trying them in an oblique and indirect manner; if that was the object, he desired it might be declared; that the accuser should stand forth, avow his charge, and compel them to answer. When that was avowed, ministers would know the accuser and the accusation; and they would know in what manner to make their defence. If that was not the object, a further pursuit of the enquiry would be futile and needless.

With a view to the incompetency of the House in military matters, upon Sir William Howe's motion for the examination of Earl Cornwallis, the question was put to him, "upon what points he meant to interrogate the noble lord;" to which the general replied, "to the general conduct of the American war; to military points generally and particularly." These words were eagerly seized by the minister, who working them up with the original into the form of an amendment, under that colour nearly framed a new motion, which he knew carried its own rejection along with it. The words of the motion in that state were—"That Lord Cornwallis be called in and examined relative to general and particular military points, touching the general conduct of the American war."

There was scarcely any thing during the session that drew out such severity of censure, and even of reproach, as this manœuvre, or, as it was termed, trick, in debate, now did. It was said, that so shameless and palpable an evasion of enquiry and truth, and so barefaced an acknowledgment of guilt, had never been ventured upon by any other minister, nor could not have been endured at any other period. The degraded situation of the noble lord, which reduced him to the necessity of adopting so shameful a measure, in order to screen his associates, and the open acknowledgment which it included, that he durst not venture to trust, even his own standing majority with their guilt, was expressed in those terms of pity, which convey the sorest ideas of contempt and ridicule.

It was contended, that the two objects were so closely united, that there was not a possibility, in the present enquiry, of separating the conduct of the ministers, and of the military commanders. No opinion could be formed with respect to the former, without knowing how far their plans were or were not practicable; nor of the latter, without knowing and measuring the means which had been put into their hands. And from whom was this information to be sought or obtained, but from those officers who had served, on the spot, and who being employed in endeavouring to carry those plans into execution, were thoroughly acquainted with the sufficiency or deficiency of the means, as well as with the nature and extent of the impediments which were opposed to them? Several questions would come before the
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HISTORY OF EUROPE. [148

the committee, which were merely political and deliberative; and these could only be decided upon, by taking the opinion of professional men on the spot; men who knew the country, were informed of the nature of the resistance expected to be made, and the real motives which gave, or did not give, a preference to the measures pursued, before others which might be proposed. To stop such information, therefore, by a vote of that House, was, in fact, the converting parliament into a screen, for preventing an enquiry into the conduct of administration; for if the commander had acted right, it necessarily followed, that the measures of policy were dictated by weakness and ignorance, as they were now attempted to be covered by the most shameful and criminal evasion and imposition.

The point of order was strongly insisted on, and this was said to be the first instance in the annals of parliament, in which the reference of any order of the House to a committee, was clogged with any amendment or condition whatever in that committee. The order of the House was specific, for the attendance on that day, and the examination of Lord Cornwallis; and the amendment imported a negative to that order, and accordingly went to a substantial contradiction of it. Thus was the dignity of the House of Commons sacrificed, and their orders treated with a contempt, which would reduce them in all future times to the condition of waste paper, merely to save ministers from that punishment, which they had so justly merited, and which the ruin they had brought upon their country so loud-

ly called for. It was lamented, that any man, or set of men, should possess so baneful an influence, and apply it to so deplorable a purpose, as to induce them in such a manner to a surrender of their own inherent privileges; and thus to establish a precedent, which must go to the banishment of all order and regulation from their future proceedings, and to the introduction of anarchy and confusion.

A general officer, who had acquired great reputation in the late war in Germany, who was even then near the top of his profession, in point of rank, and who had since filled, with no small degree of eminence, one of the highest civil departments of the state, called upon the ministers to declare, whether they denied the competence of the House to institute or proceed upon such an enquiry? He dared them to the assertion; and protested, that during thirty years he had sat in parliament, he never saw so gross an attempt to violate the inherent and constitutional privileges of that House; whether with respect to the breach of order, or to what was of infinitely greater importance, the denying that House to have a right of inquisitorial jurisdiction over every department of the state, every establishment, whether civil, military, or criminal.

The minister's amendment was, however, carried upon a division, though by a smaller majority than might perhaps have been expected in so full a house, the numbers being 189 to 155.

The debate was again renewed on the main question, whether the motion so amended should pass, when the question being called for, it

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was rejected, although by a smaller majority than on the preceding division, the numbers being 180 to 158. A gentleman of the opposition then moved, in the terms of the original order of the House, That Lord Cornwallis be called in, "and examined respecting the subject matter of the papers referred to said committee." This motion was negatived without a division. And thus the enquiry seemed to have been laid to sleep for ever. The committee was not, however, dissolved; for although a motion for that purpose had been proposed early in the debate by a noble lord in office, it had been withdrawn at the minister's desire, who preferred this scheme of management which we have seen. In strictness, the committee was open to receive any testimony tending to the elucidation of the papers before them, excepting that testimony related to military matters; and the whole subject of those papers was military.

The opposition were, however, determined not to let this state of things rest in absolute quiet; and to try how far the House could, upon recollection, and in its proper form, submit to such an apparent contempt and rejection of its authority, by a committee, a creature of its own making, and furnished only with confined and temporary powers, directed to a particular object, and revocable at pleasure. The business was accordingly introduced May 3d. a few days after, by a recital of the transactions which had passed in the committee, and a renewal of the motion for the examination of Lord Cornwallis, and the whole

matter of complaint and redress supported with great vigour.

The minister and his friends had taken but little notice of the charges with respect to the point of order, which had been so strongly urged by the other side in the committee; and he now apparently left room open for an apology on that ground, by an acknowledgment that he was not fully prepared on that subject. He, however, said, that he considered committees of the whole House, and the House itself, as nearly analagous, and their powers co-extensive; so that in reality, the difference between the orders of one, and the resolutions of the other, was merely in terms, as they substantially imported the same thing. They were, on questions of importance, equally well attended; and the difference, in his apprehension, was little more, than whether the speaker was in the chair, or whether one of the members presided for the time in his place.

On the question of competency he was now remarkably tender, and did not at all push that matter as he had done in the committee. He began to perceive that such a principle once laid down might go to great lengths, and such as might prove highly inconvenient to ministers themselves. But with respect to the impropriety of examining witnesses on military questions, he was diffuse; and seemed to lay all his strength to that point. He observed, that as the evidence must be *ex parte*, it could never be deemed, by any rule of reason, sanction of precedent, or consistency with the regular proceedings of judicature, sufficiently

tiently full and conclusive, either for acquittal or censure. It might furnish a good ground for belief or persuasion; but from the nature of the evidence, as well as the manner in which it would be delivered, no man in that House, or without, could lay any other stress upon it, or give it any higher degree of credit, than merely what *ex parte* evidence was entitled to in the first instance, and what testimony, not delivered upon oath, was entitled to in the second. And that, therefore, neither the censure nor acquittal of the honourable general, by a vote of that House, would be capable of changing, in a single instance, the opinions already formed upon that subject.

He had accordingly always held, and still retained his opinion, that enquiries into the conduct of military men, were exceedingly improper in that House. When such occasions occurred, military courts were provided by the constitution for the purpose. He considered a court-martial as the only tribunal, where the party accused could procure substantial reparation for his injured honour, and where, on the other hand, in case of failure or neglect, the justice of the nation could be legally and constitutionally satisfied.

He also observed, that if under the appearance of an enquiry into the conduct of military officers, it was intended to bring charges of neglect or incapacity against ministers, he could not but consider it as an exceedingly unfair mode of proceeding. No man had yet avowed that design. And yet he could not see, what other motives there could be, for urging the present enquiry farther. The House

had undoubtedly an inquisitorial power to enquire into and censure the conduct of ministers; but he trusted their conduct was not to be decided upon by the evidence of military men; much less when that evidence was professedly given on military measures, which they had neither planned nor executed. If, however, any specific accusation was brought against ministers, as one of his Majesty's confidential servants, he was ready to have witnesses instantly called to the bar, provided the matter on which they were to be examined was previously stated, and was such as directly and specifically pointed to any one particular measure of administration.

On the other side, it was laid down as a clear and indisputable rule of proceeding in that House, that a committee was always bound by the order of reference made to it; otherwise, there would be two contradictory powers and clashing jurisdictions in the same body; a doctrine too absurd and monstrous to be heard or endured. A great part of their business was transacted by committees, particularly by committees of the whole House; if, therefore, it should be adopted as parliamentary law, that what the House entertained in one instance and referred to a committee, was so far controulable by that committee, as that the latter had an option to disobey the order of reference, all business would be at an end; and as often as circumstances afforded a pretence, the proceedings of that House would be involved in endless confusion, and in contests with itself. The House was therefore called upon, and requested seriously to reflect and

and consider, the fatal consequences that would necessarily ensue, if it did not preserve a proper controul over its several constituent parts.—The question they were to decide upon was short and plain, but it included much matter:—It was simply this; Shall the House controul and direct a committee appointed by itself, or shall they controul and direct the House?

The ground of propriety, with respect to military enquiries in that House, was not only abundantly supported, but covered with a superfluity both of arguments and of precedents. The debate, however, hung yet in suspense, when the unexpected part taken by a gentleman high in office, and closely connected with a strong and powerful party, suddenly turned the ballance. That gentleman declared, that although it was with infinite reluctance that he differed in opinion with the two noble lords in administration, yet he could not avoid thinking the conduct of the committee, even at the time, very extraordinary. He had, however, some doubts upon the subject, which occasioned his going away, without speaking or voting, on that night. But these doubts were now totally removed. For as he considered certain words (which he recited) that had fallen from the American minister in the present debate, as a direct charge and accusation against the commander in chief, he should think it an act of the greatest cruelty and injustice if the present motion was not passed, in order to afford an opportunity for his vindication and defence.

These words operated like a charm. Nothing would afterwards

be listened to from the other side. The minister attempted several times to speak, but in vain. A complete revolution was effected; and the enquiry, which a few days before had been rejected by a majority, was now resumed, with an appearance of almost general unanimity. The committee was accordingly revived a May 6th. a few days after, and the examination of the officers commenced by that of Earl Cornwallis.

It would be equally beyond our purpose, and our limits, to enter into any particular detail of this enquiry. It was taken up with much general expectation, and it might, perhaps, be said hope. The public were in the highest degree impatient for it. Those who had conceived that the total reduction of America ought to have been but the business of one easy campaign, were eager to see the fault fixed upon those generals, whose mismanagement had rendered the war not only so tedious and so expensive, but at present almost hopeless. Others, wished to fix the fault on the original ill policy of the undertaking, rendered additionally ruinous by the weakness and contradiction of the councils by which it had been conducted. But as the enquiry might be, as in reality it was, drawn out to a very great length, it soon became evident, that those who originally opposed any enquiry at all; and only had given way, because they were unable to resist the torrent, would prevent it from producing any effect; and this it was not difficult to do, as it was in their power to draw the examination of witnesses into an infinite length; and the attention of all being fatigued by such

such a pursuit, attendance would naturally relax along with it; and the business would languish, and expire of itself.

The officers who were examined were the following, who were also called in the order that we state them, viz. Earl Cornwallis, Major-General Grey, Sir Andrew Snape Hammond, Major Montrefor, chief engineer, and Sir George Osborne, a member of the House. Their testimony, taken together, went to the establishment of the following points of fact, or of opinion.—That the force sent to America was at no time equal to the subjugation of the country.—That this proceeded in a great measure from the general enmity and hostility of the people, who were almost unanimous in their aversion to the government of Great-Britain; and also from the nature of the country, which was the most difficult and impracticable with respect to military operations that could possibly be conceived.—That these circumstances of country and people, rendered the services of reconnoitring, of obtaining intelligence, of acquiring any previous knowledge that could be depended on, of the state of the roads, and the nature of the ground which they were to traverse, along with the essential object of procuring provisions and forage, exceedingly difficult, and in some respects impracticable.—That this latter circumstance rendered it impossible for the army to carry on its operations at any distance from the fleet; at least, without the full possession, on both its sides, of some navigable river.—And that its operations were much retarded, and frequently endangered, by being generally con-

VOL. XXII.

strained, through the circumstances of roads and country, to march only in a single column.

It also went to the establishment of the following particular points; in direct contradiction to several charges which had been made against the conduct of the commander in chief, viz. That the rebel lines and redoubts at Brooklyn, in Long-Island, on the 27th of August 1776, were in such a state of strength and defence; that any immediate attack upon them, without waiting to make proper approaches, and without the artillery, scaling ladders, axes, and other articles necessary to the service, would have been scarcely less than an act of desperate rashness.—That Lord Cornwallis's halting at Brunswick, when in pursuit of the enemy, in the same year, was necessary, as well with respect to the condition of the troops in point of fatigue and provision, as to their number, and the posts which it was first necessary to occupy, in order to preserve their communication; and that his passing the Delaware, and advancing to Philadelphia, when he afterwards arrived at Trenton, was utterly impracticable, from the total want of boats, and of all other means for that purpose.—That the going by sea to Philadelphia, was the most eligible, if not the only method, which could have been adopted, for the reduction of Pennsylvania, and that the Chesapeak was a more eligible passage than the Delaware.—That from the strength of the highlands, and other circumstances, the attempt of going up the North River towards Albany, while Washington was at hand with a strong army, to profit

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of all the advantages which it must afford, would have been difficult, dangerous, and probably found impracticable in the event. — And that the drawing of General Washington and his army, near 300 miles from the North River, to the defence of Pennsylvania, was the most effectual diversion that could have been made in favour of the northern army; and at the same time held out the greatest probability, that the desire of protecting Philadelphia, would have induced him to hazard a general action; an event so long and so ardently coveted, as the only means which could tend to bring the war to a speedy conclusion, and which every other measure had been found incapable of producing.

General Howe had endeavoured, in his narrative, as well as in the different speeches which were drawn from him on the subject, to establish as an indisputable fact, and demonstrably to prove from the correspondence before them, that he had constantly stated to the American minister, the great difficulty and impracticable nature of the war; and the utter impossibility of subjugating that continent with the force under his command. That he had accordingly accompanied the plans for the operations of the campaign of 1777, with a requisition, in one instance, of a reinforcement of 20,000, and in another, of 15,000 men, strongly stating and arguing, that nothing less could effectually answer the purpose of bringing the war to a speedy conclusion. That on the other hand, the minister did not seem to credit, that the difficulties were so great as they were repre-

sented, nor that so great an additional force as was demanded could be necessary; and placed much of his dependance in the firm persuasion, that the well-affected in Pennsylvania were so numerous, that the general would be able to raise such a force there, as would be sufficient for the future defence and protection of the province, when the army departed to finish the remaining service. That accordingly, he had promised, only about half the force stated in the second number; that not a fifth of the force, even so promised, was at length sent; and that reinforcement, when it did come, arrived too late to answer any of the original purposes of the campaign. — He likewise stated, and supported by the same authority, that so far from any concert or co-operation being proposed or intended between him and the northern army, that, that expedition had never even been casually mentioned, in any of the discussions relative to the plans of the future campaign, which had passed between him and the minister. That the first knowledge he had of that design, and which induced him to write a letter to Sir Guy Carleton upon the subject, was merely from public report. And, that the first intimation he received from the minister, that the smallest degree of support would be expected from him in favour of that expedition, was by a letter which he received in the middle of August, in the Chesapeake, when his measures were already taken in pursuance of that plan which he had previously settled with the noble secretary, and when it would have been too late for him in any case to have receded.

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But even that letter expressed no more than a confident hope, that he should be returned soon enough back from the southward, to concur in the further operations of the northern army.

It will be easily seen, that nothing could possibly have been more galling or vexatious to the ministers, than some part of this narrative, and of the preceding evidence. Particularly that part of the former, which stated the general's communication of the impracticability of the American war; or at least the insufficiency of the force appointed to that service for the accomplishment of its purpose, at a time that the ministers held out a language and hopes so directly contrary to the parliament and people of England. The charge of general disaffection among the Americans, which was laid by the general, as well as the other officers, although more guarded perhaps in terms and specification, was likewise an exceeding tender subject with the ministers. The opposition too never omitted any occasion of reminding them, that from the beginning of the troubles, they had been constantly represented by them, as being the acts merely of a faction in America, who had by a sort of surprise possessed themselves of the civil and military powers of that country; but that the great bulk, or at least a large majority of the people, were firmly attached to the government of Great-Britain. Indeed if that representation was an error, it seems pretty clearly, that the ministers were no less involved in it themselves, than the public. At any rate it was a very favourite opinion; and nothing could be

more grating than this testimony, which went directly to its subversion.

For these and other causes, it was thought necessary to call in question the validity of this evidence, and nothing could so well answer that purpose, as the opposing to it another body of the same nature; for as no decisive victory was to be gained, nor defeat feared in such a contest, the issue must unavoidably be, the leaving the question of fact in doubt and uncertainty; and no more was wanted.

It was accordingly proposed, towards, what seem^d. 13th. ed, the close of the examination, that other witnesses should be called in and examined, relative to several matters which were stated in the present evidence. In support of this proceeding it was advanced, that *ex parte* evidence had been received, relative to matters of fact and opinion, to military manœuvres, to the propriety of plans, and to the execution of them; and that this had been principally directed to the laying of implied or direct charges against the conduct of ministers, particularly of the noble lord at the head of the American department. That it was therefore necessary, fair, and equitable, that witnesses should be brought on the other side, and evidence received relative to those points, and to set aside those charges. The noble minister himself disclaimed the idea of becoming an accuser; (with which he was charged) but as he was attacked, and charged with being the cause of the miscarriage of the American war, it was necessary he should defend himself; and the

facts which he should state, the witnesses he should bring to support them, and the arguments which he might use, would all tend to that point merely, and not to the accusation of any man. He, however, declared, that his main object in calling witnesses, was to rescue the brave, loyal, and meritorious sufferers in America, from the unjust general imputation or censure thrown on them by the present evidence, particularly that passage which says, that the Americans were "almost unanimous" in their resistance against the claims of this country.

On the other side, the opposition condemned, as extremely unfair and irregular, the proposing to bring forward at the tail of an enquiry, without any previous notice, and when the evidence brought forward by the honourable general, in his own vindication, was nearly closed, new witnesses, to stir up matter, and perhaps charges, of which he could have no knowledge, and for which he consequently could have made no provision in the examination of his own. That it was a new procedure, and such as would not be endured any where, to draw out the whole of any man's evidence, to examine where its strength or weakness lay, and without an avowal of the smallest intention to controvert any part of it, then suddenly to attempt to conjure up witnesses before unknown and unheard of, and each having before him the part to which he chose to be called, thereby endeavour to overthrow the whole of the former testimony. They likewise spoke in terms of some indignation, to the design of bringing up

American refugees, pensioners, and custom-house officers, to impeach and set aside the evidence of military men of high rank, and of great professional knowledge. And, what, said they, is the point, which these men are called principally to prove? why, that the Americans, (that is, themselves) whose places, pensions, and existence, depend upon their attachment, are exceedingly well disposed to acknowledge and support the rights and claims of this country over the colonies.

That party, however, in conformity with their professions of wishing for, and furthering, full and general enquiry into public matters, at length acquiesced in the motion, and orders were issued, besides General Robertson, for the attendance of General Jones, Col. Dixon, and Major Stanton; as also, for John Maxwell, Joseph Galloway, Andrew Allen, John Paterfon, Theodore Morris, and Enoch Story, Esqrs.

The exceedingly severe and virulent censure and reproach, repeatedly thrown upon General Burgoyne, by some persons high in office, produced at length an effect, which was as little intended as expected; by the authors of the cause from whence it proceeded. The harshness and frequency of the reproach, which was not always guarded or chaste, seemed by degrees to awaken men of all descriptions and parties, into some particular consideration, of those very peculiar and unhappy circumstances of situation, under which that officer was compelled to submit to such reproach, without a possibility of vindicating in any manner his character and honour. At length, all sides of the House, seemed

seemed at once to feel for and commiserate the unhappy situation of that general.

An occasion for calling forth this disposition presented itself. Sir William Howe having closed his evidence, and the time being yet open for bringing forward the counter evidence, there was a chasm of some days in the business of the Committee. General Burgoyne seized the opportunity, and while a sense of the recent charge and reproach was still fresh in every mind, he threw himself on the justice, and claimed the protection of the House, conjuring them, that they would afford him an opportunity, by entering upon his defence, to redeem his honour and character from that unwarranted censure, so publicly and licentiously bestowed upon both. He stated, that the argument of the impropriety of military enquiries in the House could not apply to him, even if they had any weight in themselves, as he had frequently applied for a court martial, and had as often been refused it.

He was supported by gentlemen on both sides of the House; and the American minister himself gave into it, and said, that such strong accusations had been recently laid against him, that he was entitled in justice to be heard in his defence. This was readily agreed to, and the next May 20th. day but one, fixed for his entering upon it.

The officers examined upon this business were Sir Gay Carleton, then Governor of Quebec; Earl of Balcarras; Captain Money, acting Quarter Master General; Earl of Harrington; Major Forbes; Captain Bloomfield, of the artillery;

and Lieutenant Colonel Kingston, Adjutant General; all of whom, excepting the first, were present during the whole campaign; and eminent partakers in all the unparalleled difficulties, distresses, and dangers of the northern expedition.

The evidence was unusually clear, plain, accurate, and direct to its matter. It went uniformly to place the character of the suffering and unfortunate general in a very high point of view, whether considered as a man, a soldier, or the leader of an army in the most trying and perilous service. That he possessed the confidence and affection of his army in so extraordinary a degree, that no loss or misfortune could shake the one, nor distress or affliction weaken the other. It established an instance, so far as it could be conclusive, (and a close cross-examination was not able to weaken it) perhaps unequalled in military history; that during so long and continued a scene of unceasing fatigue, hardship, danger, and distress, finally ending in general ruin, and captivity, not a single voice was heard through the army, to upbraid, censure, or blame their general; and that at length, when all their courage and efforts were found ineffectual, and every hope totally cut off, they were still willing to perish along with him. It may, however, be a question of rivalry in honour, what share of the praise arising from this exemplary conduct should be attributed to the general, and what, to the admirable temper, discipline and virtue of his troops?

This evidence went also, so far as from its nature it was capable

of doing, to the direct overthrow or removal, of every charge or censure, which had been thrown out, or insinuated, against the conduct of the commander; leaving, however, the question of opinion necessarily open, whether his orders for proceeding to Albany were peremptory or conditional; and perhaps leaving likewise some doubts behind, with respect both to the design and to the mode of conducting the expedition, under Colonel Baume, to Bennington. In other matters it seems conclusive; and particularly detects two falsehoods, at the beginning of this enquiry in full credit and vigour; the one, that General Phillips, at the time of the convention, offered to force his way, with a specified part of the army, from Saratoga, back to Ticonderago; the other, that the late gallant General Frazer, had expressed the utmost disapprobation to the measure of passing the Hudson's river.

The witnesses were generally of opinion, from what they saw and heard of the temper and language of the troops, that nothing less than the passing of that river, and advancing to fight the enemy, could have satisfied the army; or preserved the general's character with it; and that even, after all the misfortunes that happened, it was still universally considered as a matter of necessity which he could not have avoided; or which if he had, that it would have been such a failure, as he never could have forgiven to himself, nor been able to justify to his country. Their testimony went likewise fully and decisively to the subversion of that injurious slander, which it was once a fashion with some persons

high in rank and office here to throw out; relative to a supposed natural deficiency of spirit which they attributed to the Americans. Fully masters and judges of the subject, and possessing sentiments more liberal and generous, these officers scorned to depreciate the character of an enemy, from any resentment for his fair hostility; and declared freely, that the Americans shewed a resolution, perseverance, and even obstinacy in action, which rendered them by no means unworthy of a contest with the brave troops to whom they were opposed. Written evidence, was also produced, and supported, that the number of the rebel army, at the time of the surrender, amounted to 19,000 men, of which thirteen or fourteen thousand were men actually carrying muskets.

The examination of General Burgoyne's witnesses being closed, the American minister opened the counter evidence, which was brought to oppose that given in favour of Lord and Sir William Howe. The only witnesses, which it was thought expedient or necessary to examine on that side, of those whose names we have stated, were Major General Robertson, Deputy Governor of New York; and Mr. Joseph Galloway. None of the officers, ordered to attend, except the general above-mentioned, were called upon. Mr. Galloway had been an American lawyer, and a member of the first Congress; and was one of those that had come over to Sir William Howe at the time when the rebel cause seemed nearly ruined, by his great successes at New York, and Long Island, towards the close of the year 1776, and when that violent contention

vention of parties, broke out at Philadelphia, which we have formerly taken notice of. The general had immediately afforded a liberal provision for this last witness, (from whose services he expected some considerable advantages, in which, however, he declared himself disappointed) and afterwards advanced him to lucrative, as well as flattering civil employments.

The general tendency of this evidence was to overthrow, invalidate, or weaken, the testimony already given in favour of the commanders. And the points which it principally laboured to establish for that purpose, and for the vindication of the ministers, were the following. The vast majority, who from principle and disposition, were zealously attached to the government of this country, and consequently enemies to the conduct and tyranny of the ruling powers; this was rated by the first witness at two thirds, and by the second at four fifths, of the whole people, on that continent. That if a proper use had been made of this favourable disposition of the multitude, it might have been directed to such essential purposes, as would have brought the war to a speedy and happy conclusion. That the force sent out from this country was fully competent to the attainment of its object, by the total reduction of the rebellion, and the consequent recovery of the colonies. That the country of America was not in its nature particularly strong, much less impracticable, with respect to military operations. That the face of a country being covered with wood, afforded no impediment to the

march of an army, in as many columns as they pleased. That the British troops possessed a greater superiority over the Americans, in their own favourite mode of bush-fighting, and the detached service in woods, than in any other whatever. That armies might carry nineteen days provision on their backs, and consequently need not be deterred from the undertaking of expeditions, through the want of those means of conveyance which are now deemed indispensable. That the rebel force, both with respect to number, and to effective strength, was, at the most interesting periods, if not always, much inferior to what was represented. And, to a general condemnation of the southern expedition; along with an endeavour to shew, the great advantages which would have resulted in that campaign, if Sir William Howe had taken possession of the north river, and directed his operations towards Albany.

Several other more direct charges or accusations were brought against the military conduct of the brother commanders, which were chiefly undertaken by Mr. Gallo-way. Particularly with respect to the going round by the Chesapeake, instead of up the Delaware, on the southern expedition; the want of sufficient dispatch and vigour in the pursuit of the rebels from Brunswick across the Jerseys, in the year 1776, to which their escape was attributed; the not cutting off Washington at Trenton, before he could cross the river, which was contended to be practicable; and the not passing the Delaware, and proceeding to Philadelphia at that time, which, it was asserted, would

have put an end to the war; along with a number of other matters tending to the same purpose.

On this the opposition from time to time remarked, that the greater part of these gentlemen's testimony was founded upon private opinion, hearsay knowledge, intelligence from absent or unknown persons, and strong assertions of facts, unsupported by any collateral evidence. It was also remarked by them, that the only officer produced, had been very little, if at all, out of our garrisons, since the commencement of the war, and was therefore little qualified, either to give satisfactory information relative to the disposition of a people with whom he was so little conversant, or to give critical opinion on military measures which he had never seen. As to the witness of a civil description, they said it was singular, that, although bred a lawyer, and habituated to business, he could scarcely be brought to recollect the smallest part of his own conduct in the most trying, signal, and possibly dangerous situation of his life, and the most conspicuous sphere of action to which he had ever been exalted, when a member of the congress; and yet, that the same man, a total stranger to the profession, and only flying for refuge to the British army, should all at once acquire an accuracy with respect to military details, and the complicated business of a camp, which could scarcely be expected from a quarter-master-general, and as suddenly become possessed, along with the minutiae, of that nice discernment and critical judgment, in the general conduct, and all the great operations

of war, which the oldest and most experienced commanders do not often pretend to.

The examination of these two witnesses was spun out, by the intervention of business, and other means, to the end of June. In the mean time, as it was uncertain what farther evidence might be called on that side, and the session being so near a conclusion, Sir William Howe requested, that, in consequence of the attack made upon his character in the evidence of Mr. Galloway, a day might be appointed, on which he should be permitted to bring witnesses, in order to controvert and disprove those charges. This was refused by the ministers, and did not seem to be approved of by the House, who had got tired of the business, and besides saw no possibility of bringing it to a conclusion, during the short remainder of the session. The former said that the general had already met with every indulgence he could reasonably expect; but that the calling in of new witnesses, at that time, could not be admitted; that he however had it still in his power to cross-examine Mr. Galloway as much as he pleased.

This was far from affording any satisfaction to the other side, who complained loudly, that after the attacks made upon the general's character, the refusing to hear evidence in his vindication, was no less than a denial of justice. They were, however, obliged to submit to what they could not remedy. The committee was resumed on the 29th of June; but an advantage being taken of some little delay, (which he stated not to be
above

HISTORY OF EUROPE. [158

above a quarter of an hour) in Sir William Howe's not being immediately present for the cross examination of the witness, the committee was suddenly dissolved, without coming to a single resolution upon any part of the business.

C H A P. VIII.

Two enquiries in the House of Lords, tending to the same object, and carried on through the greater part of the session. Enquiry into the state of the navy, and the conduct of the admiralty, instituted by the Earl of Bristol. Motions for naval papers, bring out much debate, and are rejected upon a division. Motion by the Earl of Bristol, for the removal of the first Lord of the admiralty from his employment. Great Debates. Motion rejected upon a division. Protests. Enquiry into the government and management of Greenwich Hospital, conducted by the Duke of Richmond. Moves for a compensation to Captain Baillie, late Lieutenant-Governor of Greenwich Hospital. Motion rejected upon a division. Minority Lords quit the House. Resolutions in vindication of the Earl of Sandwich. Hard case of Captain Baillie. Marquis of Rockingham endeavours to bring forward an enquiry into the affairs of Ireland. After several ineffectual attempts, a kind of compromise takes place, referring the business of that country to the ensuing session. Mr. Townshend's motion to defer the prorogation of parliament, rejected upon a division. Spanish manifesto. Address from the Commons. Second address moved by Lord John Cavendish. Motion of adjournment carried upon a division. Amendment to the address of the Lords, moved by the Earl of Abingdon, and rejected upon a division. Second amendment proposed by the Duke of Richmond; rejected upon a division, after considerable debate. Bill brought in by the minister for doubling the militia, after much debate and proposed amendment passed by the Commons. Indemnity bill likewise passed. Militia bill meets with great opposition in the House of Lords. Indemnity bill much opposed; but carried through. Protests. Militia bill deprived of its principal effective powers, and returned to the Commons. Debate on a point of privilege. Bill passed. Speech from the Throne.

DURING these transactions in the House of Commons, the Lords were principally taken up with two enquiries of an unusual cast and nature; and both tending directly, or indirectly, to the same object, to the crimination or censure of the first lord of the admiralty. The first of these, was an enquiry instituted into the state of the navy and the conduct of the admiralty, by the late Earl of Bristol, which went directly and avowedly to the crimination in the first instance, and to the removal in the second, of that nobleman, from the very high and important department in which he had so long presided. In the conduct and pursuit of this enquiry and object, he was professionally assisted by the Duke of Bolton, and ably supported by the Duke of Richmond, and some other of the most active lords

lords of the opposition. The industry, patience, and constancy, with which he applied himself to so complicated and laborious a business, encumbered with frequent and tiresome calculation, and with tedious comparative estimates, at a time when he was sinking under the pressure of various infirmities, and a victim to the most excruciating diseases, could not but excite admiration; and indeed, however right, or otherwise, his opinions might have been founded, afforded no small indication, that in a season and situation which seemed so effectually to shut out all personal considerations, his conduct must have proceeded from the most disinterested and genuine patriotism.

Although the noble earl had on the first day of the session given some intimation of his design; yet his subsequent state of health was so deplorable, that on the 19th of February, the Duke of Richmond was obliged to make the motions, in his name and behalf, for the bringing forward of those papers which were immediately necessary to the enquiry. The demand of papers, tending, it was said, to expose the state of the navy, and without the knowledge of any important purpose or object in view for the justification of such a measure, being strongly opposed by the court lords, the noble duke was brought to an explanation and avowal, that the absent Earl intended those papers, along with other materials, for laying the foundations of a public enquiry into naval affairs, and a comparison of the present state of the navy, with that in which it had devolved from Lord Hawke, to the trust and government of the pre-

sent first lord of the admiralty; and thereon to ground charges of malversation against that nobleman; with a view more particularly of opening the eyes of a great personage, and that he might not continue the only man in the nation, who was unacquainted with the deplorable state of his navy.

It was, however, the 24th of March, before the Earl of Bristol was able to attend in person, and he was then so feeble and broken down, as to depend only on his crutches for support while he was speaking. His speech did not seem the less vehement for his weakness.

He affirmed, and said he would prove, that the conduct of the noble lord at the head of the navy, with respect to the great trust reposed in him, was highly criminal; and such as called aloud, for the fullest censure of that House, and for the utmost indignation of the people. After describing, what appeared immediately to himself, as most particularly ruinous and calamitous, in the conduct and state of naval affairs, he drew one consolation, he said, from the ineffectiveness of the attempts made by the marine minister, upon the character, life, and honour, of Admiral Keppel; and from the failure of those machiavelian arts (which, he said, he had so successfully employed on other occasions) when their object was to create an improper and corrupt influence among the British seamen. That noble lord, he said, had now found by experience, that no promises could allure, nor threats prevent them, from a performance of their duty, and the preservation of their honour. Having been

been called to order for the terms *machiauelian arts*, he repeated them, and said he would prove them at a proper time. His intended motions were taken up with that view, and he meant to direct them solely to the criminal conviction of the first lord of the admiralty; he therefore gave this early notice, that the House might be prepared, as well as the noble earl, on the 16th of April; he then moved, that the lords might be summoned for that day, when he would enter fully, he said, into the proof and investigation of those facts, which had induced him to institute the enquiry.

Thus was the gauntlet thrown down, the day appointed, and the lists prepared, for the decision of this contest. The noble lord at the head of the admiralty, justified his conduct with respect to Admiral Keppel, upon the same ground which we have already seen taken upon that subject. And being surprized into some warmth, as well by other attacks, as by what we have stated, he declared that he was afraid of no man living: "That his intentions were upright, his heart was honest, and he had no dread that they would not bear him out against every attack which might be made upon him by his enemies."

Several motions being made on the 30th of March, by the Earl of Bristol, for a great number of additional accounts, naval lists, and other papers, necessary to the support of the enquiry, they were strongly opposed by the noble lord at the head of the navy, upon the old ground, that such communication would be exceedingly improper, and highly dangerous at

present, as affording means of information to the enemy, which they could not otherwise possibly acquire. Although the validity of this objection was not acknowledged on the other side, the noble mover offered to modify or contract his motions in any manner that might be thought necessary for preventing the supposed effects. He wished at the same time to impress one truth important to his purpose on their lordships minds, which he vouched for, that there was not a single iota of the matter which his motions were intended to draw forth, with which the French cabinet was not already perfectly acquainted; and, upon the ground of precedent, that they were literally copied from similar motions made and agreed to in the year 1759, in the very height of the late war, and when an invasion was directly threatened from France. Nothing he could say being, however, deemed satisfactory, and no qualification to the total refusal of the papers admitted, much debate arose, and the former severity of censure was not only renewed, but it had now, by a supply of fresh matter, acquired additional strength and sharpness.

This proceeded from the recent appointment of a commander to the grand fleet, which was destined for the home defence. They said, that the immediate consequences which had already appeared, of those manœuvres of the admiralty, by which they had driven Admiral Keppel, Lord Howe, Sir Robert Harland, and other distinguished officers, from the service and defence of their country, were in the highest degree alarming and unhappy

happy to the nation. Through the loss of these great officers, the admiralty were now under a necessity, of dragging forth Sir Charles Hardy from his intended final retreat, and from that repose, suited to his time of life, which had been assigned to him in the government of Greenwich hospital; and after an absence of twenty years from the sea, and having necessarily laid by every idea of a profession, to which he did not even dream of ever returning, is compelled, at an age likewise unfit for active service, to undertake a task of the most arduous and difficult nature, and which may probably require the greatest activity and exertion, which were ever yet displayed by a British seaman. They desired it might be understood, that they did not mean the smallest imputation to the character of that gentleman, nor the most remote insinuation to his disadvantage; their observations were confined merely to his particular circumstances and situation. But it was, they said, a matter of the most alarming nature, to see perhaps the fate of England, committed to the hands of a superannuated, and it might be said, a rusticated officer; who must consider the appointment rather as an injury than a favour; and was besides conscious, that he was merely an object of necessity, and not of choice, even with his employers. And this state of things was rendered still more grievous and deplorable, by seeing, at the same instant, some of the greatest names and characters, that had ever graced the British navy, or exalted its renown, proscribed from the service of their country,

through the rancour and malignity, if not the treachery, of the admiralty.

Lord Bristol's motions were rejected, on a division, by a majority of just two to one, the numbers being 60 to 30. The lords had been summoned on that day, on a motion of the Duke of Manchester's; which was likewise for naval papers, but not relative to the present enquiry; it being intended to convey censure or criminality against the ministers in the other House, on a charge of singular neglect. It was asserted, and we believe has not been disproved, that in some time after orders were dispatched from hence for the evacuation of Philadelphia, a fleet of victuallers had been suffered to depart from Ireland for that place, in total ignorance of the design of the ministers, and having accordingly entered the Delaware, escaped narrowly, and by mere accident, from falling into the hands of the enemy. The motion was for the papers necessary to an enquiry into this transaction. As this could not be opposed upon any supposition of danger, from the affording of intelligence to the enemy, the motion was objected to for its generality, in not being applied to the specific papers and dates which were wanted; and also, that it was totally unnecessary, as no ill consequence whatever had arisen from the fact, even supposing it to be exactly as had been represented. This motion was likewise rejected, by a majority of 40 to 28.

The appointment for the Lords to attend on the naval discussion, having been changed from the 16th to the 23d of April, the Earl

Earl of Bristol introduced and supported his motion, with an extraordinary degree of ability and professional knowledge. The information brought out was various, and seems to have been collected with accuracy. He informed the Lords, that he had every one of the papers which they had refused to him then in his hands, but that as he conceived from that refusal, that they were of opinion there would be some impropriety in exposing them to public view, however contrary that was to his own knowledge, and however necessary they might be towards the accomplishment of the great national purpose, which he was pursuing, he would, notwithstanding, upon that account, refrain from bringing them forward. He farther professed, that in regard to the unhappy circumstances of our situation, and necessity of the time, he would himself throw a veil over all those parts, the exposure of which could possibly afford any useful information to the enemy.

He observed, at the close of his speech, that there were various parliamentary methods of removing any minister; and all of which, excepting one, tended to punish as well as to remove;—as, a bill of impeachment, a bill of attainder, a bill of pains and penalties; all these went to punish as well as to remove; but that of addressing the King to remove from his Majesty's councils and presence for ever, tends only to remove the evil, without inflicting any real punishment on the offender. He had, however, chosen a milder method than any of those, in hopes of the concurrence in general of the Lords; and that many of those

who had formerly concurred in supporting those measures, which had so notoriously brought the navy, and consequently the nation, into their present situation, being now convinced of their pernicious tendency, and how much they had been deceived by artful misrepresentation, would condemn those very measures, which they had then been seduced to approve.

He accordingly moved, "That an humble address be presented to his Majesty, that he will be graciously pleased to remove the Right Honourable John Earl of Sandwich, first commissioner for executing the office of lord high admiral of Great Britain, &c. and one of his Majesty's most honourable privy council, from the said office of the first lord commissioner of the admiralty."

We have had so much occasion, for some time past, to state matter of charge and defence, as they were laid or sustained in both Houses, with respect to the state of the navy, and the conduct of the admiralty, that it will not be supposed that much new ground relative to the subject could now be opened. The curious naval lists, calculations, and comparative estimates, stated by the Earl of Bristol, are not properly within our province. The great point of charge, principally laboured by the Earl of Bristol, and to which all the others were far subordinate, was to the following purport, viz. That about seven millions more money had been allotted for the support and increase of our navy, during the last seven years, than in any former period; and that, during that time, the decrease and decline of the navy, had been in an

an inverse ratio to the excess of the expenditure. Upon this part of the subject he exclaimed, as he had done with great energy upon a former occasion—"What is become of our navy?—Or, if there is no navy, what is become of our money?"

The noble lord at the head of the navy, defended himself in his usual manner, and with his usual ability. He affirmed his innocence in strong terms, and expressed with great feeling, the consolation and pleasure which a consciousness of it afforded; he declared his sedulous attention to the duties of his office, and the happy effects which resulted from it, in the present high and flourishing state of the navy. He, however, shifted off all personal responsibility; declaring that he was answerable for nothing more than his share, in common with the other cabinet counsellors. With respect to other matters, he gave a flat contradiction to almost every calculation and estimate produced by his noble antagonist, whether with regard to the past or the present state of naval affairs in this country; and did not believe those which related to France or Spain. Some of the charges brought on the other side, were treated with as little ceremony. One in particular, which stated that the want of stores was so deplorable, that some ships of Keppel's fleet, although under sailing orders for the immediate protection of their country, had been stripped of their cordage and running rigging, in order to enable Byron's squadron to proceed to America;—and, that when the former had returned to port, after the action of the 27th

of July, they were detained for several days, through the want of masts, and other essential articles of supply.—To this it was answered, that the superabundance of stores in the docks and yards was so great, that the warehouses and other proper receptacles were not capable of containing them; and that the stock of hemp in particular was so vast, that the admiralty found it necessary to oblige the artificers to take some of it off their hands. The noble lord, with great satisfaction and good temper, ended a long speech in a joke, which threw the whole House into good humour.

The Earl of Bristol, however, took care to remind their lordships, that every one of his charges were now fully established; for that his specific accusations were answered only by general assertions; and terminated by attempts at wit. The debates were long, and most of the lords who are speakers took some share in them. The question being at length put, the motion for the removal of the Earl of Sandwich was rejected upon a division, by a majority of 78 to 39; being a second time exactly two to one.

It may perhaps be thought singular, that the two royal brother dukes, both voted on this occasion for the removal of the Earl of Sandwich from the government of the navy. It was observed in a subsequent debate in the House of Lords, that the fortune of that nobleman was unequalled in the history of England, namely, in continuing to hold an office of such vast importance in the state, after 39 lords, and 174 members of the other House, had declared upon

upon record, his being unfit, incapable, and consequently his removal from it necessary.

A short protest, couched in the following terms, was signed by 25 lords—"Because, as it is highly becoming this great council of the nation to address his Majesty for the removal of any minister for neglect of duty or incapacity, in order to prevent public detriment; so we conceive the notoriety of the facts in this debate sufficiently warrants, and the present alarming situation of public affairs loudly calls for, this interposition."—The Earl of Bristol being the mover, thought it incumbent on him, that posterity should be acquainted with the particular grounds upon which he founded his motion. He accordingly entered a separate protest, of some length, for that purpose. His death, soon after, rendered this almost the last of his public exertion.

The second enquiry, although not of such magnitude, considered with respect to its national importance and consequences, was, however, upon a subject of an interesting nature; and was continued, with no small share of trouble, labour, and difficulty, through much the greater part of the session. This was the enquiry into the government and management of Greenwich hospital; the first papers on which were moved for by the Duke of Richmond on the 16th of February, and the final decision of the Lords delivered only on the 7th of June. As the supervision of this noble foundation lay officially in the admiralty, the enquiry, of course, tended virtually to the censure or

crimination of the noble lord at the head of that department; who accordingly understanding it in that light, took such means of defence, as if it had been an avowed and direct personal accusation. The affair was accordingly fully and ably discussed; and a great number of witnesses, as well as no small quantity of written testimony brought forward.

It would not perhaps be very safe with regard to justice, (if it even lay properly within our line of observation) to give any account of this enquiry, which did not nearly comprize the whole voluminous detail of evidence, with which it was accompanied, the cross examination and particular objections which it brought out, together with the speeches made by the noble duke, earl, and other lords, which are to be considered as the pleadings in this cause. In this state it has already been communicated to the public, in the accounts which have been published of the parliamentary proceedings of that time; and the able speech made by the first lord of the admiralty in his own defence, has likewise appeared in a separate, and, probably, corrected publication. We also trust, that the printed case of the late unfortunate lieutenant governor, Captain Baillie, is in most hands.

The chief matters of abuse which appeared in the enquiry, were the two following; first, some improper variations in the new charter from the old, and some suspicious management with relation to it; and, that Captain Baillie, the lieutenant governor, who had shewn great zeal and activity in detecting abuses, and particularly had prosecuted

secuted to conviction the butcher, who by contract supplied the hospital with provision, for fraudulently furnishing meat of a bad quality, when he was paid as for the best; had, on his part, been prosecuted by the officers of the house on actions brought by those, whom he had charged with abuses—in which actions they were defeated—Yet the convicted butcher was continued in one of the courts, and had his contract renewed, and the acquitted Captain Baillie was turned out of his office to starve, without any provision or compensation whatsoever.—The other details it would be impossible to enter into, and difficult to form a judgment on, as the several particulars of charges, seem to have been some better and some worse supported.

It will be sufficient to observe, that as the Duke of Richmond had constantly disclaimed every idea of any accusation against the first lord of the admiralty, and declared that he took up the enquiry merely for the sake of public justice, and the benefit of the poor pensioners, so, upon its close, and the summing up of the evidence, he did not move for any vote of censure against that nobleman; but only proposed the bringing in of a bill, for remedying those grievances in the hospital, and those malversations in its government, which he supposed he had proved. And as he considered the lieutenant-governor to be merely a victim to his integrity, to a faithful and diligent discharge of his duty, and particularly to his inflexible opposition to those innovations, which the noble duke, as well as himself, deemed totally de-

structive to the government and interests of the hospital, he thought it, an act of the most necessary justice, that such an officer should receive a reasonable compensation; for the losses, sufferings, and persecution, which he had sustained; the more especially, as his place, which was properly to be considered as a freehold, was, at a market price, worth a very considerable sum of money.

He accordingly moved, that, in consideration of Captain Baillie's having been illegally removed from his office, by the board of admiralty, and of the zeal he had uniformly shewn during the course of seventeen years service in the said hospital, the House should address his Majesty, to confer on him some mark of his royal favour.

The motion was rejected, upon a division, by a majority of 67 to 25.

A secession of the minority lords immediately took place, as soon as the division was over; but the court party were far from being content with a bare victory, and seemed determined to affix such a stigma upon such enquiries, as might prevent any trouble of the same nature for the future. Three lords successively moved three separate motions, each of the succeeding surpassing the preceding in energy and effect. The first went to a simple declaration, that nothing had appeared in the course of the enquiry, which called for any interposition of the legislature.—The second, that the book which had been referred to the committee, (Captain Baillie's case of the royal hospital, &c.) contained a groundless and malicious repre-

representation of the conduct of the Earl of Sandwich, and others; the officers of Greenwich hospital. — And the third declared, that the revenues of Greenwich hospital had been considerably increased; and that it had derived several other specified benefits and advantages, under the administration of the present noble lord.

It seems upon the whole probable, that the issue of this enquiry went as far beyond all expectation on the one side, as it fell totally short of it on the other. The fate of Captain Baillie has been much and generally commiserated. His case, indeed, seems very hard; and it can scarcely be doubted, that if the affording him a compensation, could have been separated from the idea of conveying censure on the first lord of the admiralty, that it must have been liberally granted. How far the present decision, along with the ruin of that gentleman, may operate as an example, in exciting the integrity and diligence of the servants of the public, in the future execution of their respective offices, must be determined by experience; but that it must produce a full effect, while ever it is remembered, in restraining all indiscreet zeal for the correction or reformation of abuses, will scarcely be questioned.

The season was now far advanced, which demanded a recess from the toils of a very troublesome and laborious session. The affairs of Ireland were, however, becoming every day more alarming; but notwithstanding the repeated efforts of the opposition in both Houses, the ministers de-

feated every attempt towards enquiry upon that subject. The Marquis of Rockingham had taken up the business, on the 11th of May, in a very long and able speech, in which he equally shewed his intimate and extensive knowledge of the subject, and displayed, in striking colours, the deplorable distresses, the grievances, and the very alarming circumstances, which attended the present situation of that country. He accordingly urged in the strongest terms the necessity of providing immediate remedies for those evils, and the fatal consequences to which any delay must be liable. He was opposed, partly with respect to the lateness of the season, and partly with respect to the niceness and difficulty of the subject, in which the interests of both countries were so materially affected, and at the same time that they clashed, so complicated and intricate, that any scheme for the relief of one, without injury to the other, must require long application and study, minute enquiry, and the most mature deliberation. The repeated subsequent endeavours of the noble marquis, and of the Earl of Shelburne, who were likewise constantly supported by the other lords in opposition, brought on, however, at length, and near the close of the session, a kind of compromise with the lord president of the council; that nobleman pledging himself, that in good faith, and so far as he could venture to answer absolutely for others, a proper plan for accommodating the affairs of Ireland, should be prepared and digested by the ministers, during the recess, and in

readiness to lay before parliament at the opening of the ensuing session.

Notwithstanding the lateness of the season, the affairs of Ireland, with the unfinished state of the American enquiry, and the consequent censure which lay upon the commanders, from the unexpected charges and evidence brought against them, without any opportunity of calling witnesses to their vindication, were taken as grounds by Mr. Thomas Townshend, for June 15th. an address to the King against the prorogation of parliament, until the business and matters stated in the motion, were finished or settled. This motion brought out much miscellaneous debate, and was at length rejected upon a division, by a majority of 143, to 70.

But the following day presented a new face of affairs, and opened a new scene of business, by the disclosure of one of the most alarming events which could well have happened, in the already embarrassed and critical state of the nation. This was the hostile manifesto which was presented by the Marquis D'Almodovar, the Spanish ambassador, and accompanied with the notice of his immediate departure from this country.

The minister ushered in 17th. the manifesto, as usual, with a royal message, in which they were acquainted with the consequent recal of the British ambassador from the court of Madrid. His Majesty also declared in the most solemn manner, that his desire to preserve and to cultivate peace and friendly intercourse with the court of Spain, had been uniform and sincere; and that his

conduct towards that power, had been guided by no other motives or principles, than those of good faith, honour, and justice. Great surprise was expressed at the pretences on which the declaration was grounded, as some of the grievances therein enumerated, had never come to the knowledge of his Majesty, either by representation on the part of Spain, or by intelligence from any other quarter; and that in all cases where applications had been received, the matter of complaint had been treated with the utmost attention, and put into a due course of enquiry and redress. It concluded with the firmest confidence, that the Commons, with the same zeal and public spirit, which his Majesty had so often experienced, would support him in his resolution to exert all the power, and all the resources of the nation, to resist and repel any hostile attempts of the court of Spain.

The Spanish manifesto, was a loose, and rather a strange sort of a composition; dealing almost entirely in generals; without any clear arrangement or distribution of matter; without any accuracy in the stating, or much specification of time, place, or circumstance, with respect to facts, it seems to throw charges about at random, without any attention to their direction, or care about their effect. Nor is the reasoning much more conclusive. Yet it affords one instance of precision, perhaps unequalled in all the proceedings of the corps diplomatique, from the commencement of their earliest records. That is, where it specifies in one line, that the whole number of insults and injuries which

which Spain had received from Great Britain, amounted *lately*, to just one hundred.

The manifesto, however, established one fact, and that of sufficient consequence; namely, that Spain had taken a decided part with France and America against Great Britain. It also afforded an information not before known to the public, although we think it had been mentioned as a matter of reprobation by some gentlemen in parliament. That was, that Spain had been employed as a mediator between England and France, and had been actually negotiating a treaty of peace between the two nations for above eight months. A principal part of the resentment expressed, or implied in the manifesto, seems to derive its source from the conduct of Great Britain with respect to this negotiation; the cabinet being directly or indirectly charged, (in the loose manner of that declaration) with dissimulation or insincerity, in protracting and spinning it out, without any fixed or real intention of peace, and using Spain as its instrument in that purpose. This seems repeated or confirmed at the end of the manifesto, where it is supposed, that the experience of other nations in the conduct of the British ministry, will prove a justification of the decisive measures adopted by the Spanish monarch.

It seems to appear, that the negotiation now in question was conducted upon the same ground and principle, the bare proposal of which was treated with such indignation and disdain by Mr. Secretary Pitt, in the late war; viz. the considering the separate claims of France and Spain as one com-

mon object, and comprising their settlement in the same treaty. The full effect of that family compact, which had been overlooked or neglected at the treaty of Paris, now unhappily appeared in its most dangerous aspect.

It could scarcely be expected that the disclosure of this alarming event, which had been so long and so often predicted by the minority, should not have brought out some reproach upon the ministers. They were accordingly reminded, with great severity, of their blindness, obstinacy, and absurdity upon that subject. Of the contempt with which they had treated every timely warning of the danger, and the exultation and triumph which they constantly expressed, at the folly and ignorance of the opposition in entertaining such ideas. Spain could have no interest in joining our enemies: Spain had colonies of her own, and would not set so bad an example, as to afford aid or succour to our rebellious colonies: Spain was besides naturally attached to Great Britain; and if it were otherwise, she was not able to enter into a war. Even the honour, sincerity, and undoubted fidelity of the court of Spain, were held up as sacred; and the venturing to call them in question, by reasoning from the effect to the cause, and shewing her design from her apparent preparation, was resented as a high degree of prophanation. Such were the language and doctrines, they said, constantly held out, and persisted in to the last moment by the ministers. And thus was parliament and the nation kept in a constant state of delusion, until they were awakened

from their dream, by the sudden crash of the mighty ruin which was falling upon them. These delusions seemed ever to increase, as we approached to the decisive moment of their detection. And those ministers, who were utterly incapable of governing the affairs of their own country with propriety or safety, had the matchless effrontery of setting themselves up as statesmen and politicians for the House of Bourbon; and of knowing the interests of France and Spain, better than they did themselves.

But notwithstanding the strong reflections and charges on the conduct of ministers, both Houses were unanimous in their determination, of supporting the war against the House of Bourbon, with all the powers, and all the resources of the nation. The continuance of the war with America, and the mode of applying the unlimited means which were to be granted, affording the only difference of opinion.

The address to the throne, in answer to the royal message and communication, which the minister moved for in the House of Commons, was accordingly unanimously agreed to; and contained the fullest assurance, that they would, with unshaken fidelity and resolution, and with their lives and fortunes, stand by and support his majesty, in repelling all the hostile designs and attempts of his enemies, against the honour of his crown, and the rights and common interests of his subjects.

But as soon as the address was agreed to, Lord John Cavendish moved for another, to be presented at the same time, praying, that

his majesty would give immediate orders, for the collecting of his fleets and armies in such a manner, as that he might be enabled to exert the whole force of this country, against the united force of the House of Bourbon. The secretary at war having then asked, whether the words "*whole force*," were intended to include the force in America; and being answered in the affirmative, he immediately moved for an adjournment.

It was contended in support of the motion, that it was impossible to support the American war, and to oppose France and Spain with effect, or even with safety. That the British dominions in Europe were now at stake, which necessarily demanded our first care and concern; and that the British force should therefore be in Europe, as well for their defence, as for carrying the dangers and calamities of war home to our enemies. That could only afford a rational hope of curing their malice and injustice; and of compelling them to renounce their ambitious and insidious designs. That to employ the great body of the force, and to exhaust the resources of this kingdom in North America, would be to play the game of France and Spain, and to put us in a situation of a mere defensive war; in which, besides the incredible charge of supporting it, much was to be lost and nothing gained.

On the other side, besides the reasons which we have frequently seen for not abandoning America, it was principally opposed, as an invasion of the royal prerogative, in prescribing to the king the mode of conducting the war. That even, exclusive of that consideration, the
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HISTORY OF EUROPE. [165

open council of the nation was exceedingly ill calculated for such discussions, and for charging itself with the executive conduct of the state, at any time; but more particularly in a war of so complicated a nature, and in a season of such critical emergency as the present. And that at most, whether the council was right or wrong, it could only amount to a recommendation to ministers to do their duty; to do that, for the due and wise performance of which, the constitution had already made them responsible. It was added, that supposing the measure to be the wisest that could be adopted, and supposing it to be even already resolved on, it would be extremely improper to announce the design to our various enemies, and thereby afford them an opportunity of preparing for and baffling the effect.

The motion of adjournment was carried on a division, by a majority of a 156, to 80.—Some members on both sides expressed their strongest wishes, that some measure might be taken, in a season of so much danger, to induce Lord Howe and Admiral Keppel to afford their services to the public. A noble viscount, in particular, acknowledged that private considerations were mixed with his public, in his concern on that account; and that without the smallest disrespect to the Officers now employed, he could not avoid thinking it a great addition to the security of his estates and property, that those great commanders were at the head of our fleets.

17th. The address in the House of Lords met with an opposition of a different nature. A noble earl, after immediately ex-

pressing the strongest resentment and indignation against those ministers, to whom he directly and positively charged all the calamity which had fallen upon the British empire; and who, he said, at the same time that they were employed in breaking down and trampling upon the fences of the constitution at home, were, for the completion of the same nefarious system, equally industrious in sowing the seeds of discord and civil war, and of spreading distress and ruin through all our dependencies, until they had at length exposed us, enfeebled and worn down, to the enmity and threatened destruction of our natural rivals, and hereditary enemies, moved a clause by way of amendment to the address. This clause, with the bitterest censure upon past conduct, went to a total change of system and of men, as the only means of restoring confidence and union, and of preservation left for the political existence of this once great empire.

As the Duke of Richmond intended a motion, which being less pointed and more general, was hoped to meet with a much greater concurrence, the noble earl was intreated to withdraw or postpone his amendment; he was, however, inflexible in his determination of abiding by his motion, if he were even sure of being alone in its support. The question was accordingly put, and the clause rejected upon a division, by a majority of 62, to 23.

The duke then, after urging unanimity, and shewing its absolute necessity in the most pressing terms, moved an amendment to the following purport.—That in a moment, so critical as that which

now presents itself to the consideration of parliament, the most awful this country has ever experienced, it would be deceiving his majesty and the nation, if, at the same time that they lamented the fatal effect of those councils, which by dividing and wasting the force of the empire in civil wars, had thereby incited our natural enemies to take advantage of our weak and distracted condition, they were not to represent to his majesty, that the only means of resisting the powerful combination which now threatened this country, would be, by a total change of that system, which had involved us in our present difficulties in America, in Ireland, and at home; by such means, attended with prudent oeconomy, and the due exertion of a brave and united people, they trusted that his majesty, under the assistance of Divine Providence, would be able to withstand all his enemies, and to restore Great Britain to its former respected and happy situation.

He supported the motion with his usual ability. He said, that he would not consider past miscarriages; he would not refer to any former circumstances, which might tend to create a diversity of opinion. His amendment was founded on the broad basis of public union and public strength, and was intended to direct the attention of the throne and of the house, to the real, and actually existing circumstances of the nation, and to impress the public with a due sense of their condition; a full knowledge of which, could only inspire union, confidence, and vigour in exertion. He entered fully and separately into the considera-

tion of the three principal objects of the amendment, America, Ireland, and the home defence. By the home defence, he meant our naval force in the European seas. He was sorry to find, that thirty-one ships of the line, composed the whole naval force on which this country was to rely at present for protection and safety. At the same time that he understood, and could not doubt the authority, that the French and Spanish fleets in the European seas amounted to about double that number, all now fit for actual service. But a present circumstance, which alarmed him exceedingly, was the authentic intelligence he had received, that a French fleet, consisting of 28 ships of the line, with several thousand land forces on board, had sailed from Brest on the 3d of the present June, and were at that moment, if they chose it, masters of the British channel. On this occasion he said, that although he did not intend to enter into any retrospective matter, he could not refrain from expressing his utmost astonishment at the conduct of the first Lord of the Admiralty; whether it were with respect to the unpardonable neglect of his duty, if he did not know that the French fleet were to sail about that time, or to his direct criminality, if he was apprized of that event, in not having the grand fleet in timely readiness to meet the French at their coming out to sea, instead of thus abandoning our commerce and our coasts to their mercy.

After placing in a very clear point of view, the state of our public affairs in every quarter, he observed that the extent of the danger, instead of sinking us into
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HISTORY OF EUROPE. [167]

abject despondency and despair, should rouse us to the utmost exertions of our native courage, our talents, and natural powers, with the most unlimited application of our means, of whatever sort. It was the duty of man to struggle with difficulties, and to surmount them by resolution and activity; and whatever he was bound to bear or perform in his individual capacity, he was bound to bear or perform as a member of the community. Every man, he said, was called upon in the present calamitous and dangerous situation, to assist by his purse or his person. Those who were qualified to fight, would fulfil their duty generously that way; those who could pay, must contribute to the service of their country in the manner they were best able. No exemption could be admitted. It was a season of peculiar urgency; and the means of defence must correspond with the situation. Those who were blest with affluence must contribute largely. When the safety of the state was at stake, all reasoning was at an end.

But if the means were freely administered, it was equally necessary that they should be wisely applied. Indeed the one can never be afforded, to its proper extent, any more than effect, without a confidence in the other. To attain that confidence, a total change of that system, to which our present situation, and all our past losses and misfortunes were attributed, was absolutely and indispensably necessary. Without that, nothing could be done. With it, notwithstanding the prodigious combination of power leagued for our destruction, he had the fullest con-

fidence in the spirit and exertion of a free and united people.

His idea was, immediately to abandon the American war, at least for the present; and to employ the great military force, which was doing worse than nothing there, against our enemies. If such a measure was not the means of recovering America, it could not be the cause of losing it. America was already worse than lost. It was the drain of our treasure, and of our best blood; it was the great cause of division in parliament, and in the nation. If that unfortunate war was once abandoned, and with it the system which gave it birth, and upon which all the councils from whence we derive our calamities were founded, we should again see union at home, vigorous and successful exertions abroad, the people again placing a full and proper confidence in those who were entrusted with the conduct of public affairs; and, he had not a doubt, that Britain, as she had often been before, would prove more than a match for the whole House of Bourbon. He concluded by putting in a reservation, that when he should be called upon to pledge his life and fortune, such a pledge, on his part, must be met with by that species of security, which is ever understood to be the condition of so sacred a trust. He must have one grand test of the wisdom of future measures; and that was an immediate change of the ruling system.

Some other lords on the same side, particularly the Earl of Shelburne, could not confine their ideas to a change of system only; no good, they said, could be done,

without a total change of men, as well as of system. Those phantoms of ministers; those things, they said, who had been tricked out in that garb and likeness, merely for the purposes of delusion, and who had been employed as the servile instruments of carrying that destructive system into execution, must be totally done away. If there was a hope, they said, of ever restoring this country, in any degree, to its pristine felicity, the evil must be traced to its very source. The noble lord at the head of the naval department, underwent, upon this occasion, no small degree of censure and reproach; and was not only considered as one of the principals in that system which was so reprobated, but was charged directly, and to his face, with having been the means, through his ignorance, incapacity, and official neglect, of first inviting the French attack, and then bringing on the Spanish war.

That noble earl, undoubtedly, from a due attention to the present state of circumstances, did not think fit to interrupt the public business, by entering into any defence or exculpation of his conduct. Neither did the lords immediately in administration, enter into any farther discussion of the arguments or positions stated by the Duke of Richmond, than what related merely to the withdrawing of the troops from North America. That measure, which they considered as a total and everlasting dereliction of the colonies, they opposed upon the same ground which we have seen taken in the House of Commons. The only new matter which appeared upon this subject, was

the information given by a noble viscount, now one of the secretaries of state, but lately Ambassador at the Court of France. This was a fact which came officially, at that time, within his knowledge; viz. that "in one of the private articles of the treaty, signed in February, 1778, between France and the Congress delegates, it is specially provided, that the colonies and France shall never agree to any terms, until the former are acknowledged independent by Great Britain."—This secret article he said afforded the ground of his dissent, to any proposition for withdrawing the troops, as it was evident from thence, that it was not in the power of America to treat upon any terms short of independence; and such a measure could therefore produce no effect in conciliating the colonies, or in dissolving the combination.

The Duke of Richmond's proposed amendment was rejected upon a division, by a majority of 57, to 32, lords.

This rejection brought out a long and argumentative protest, signed by twenty peers, being in effect the substance of the debate, and concluding with a complaint, of the present sullen and unsatisfactory silence of the ministers, with respect to several specific enquiries; and declaring, that after doing their utmost to awaken the House to a better sense of things, they take that method of clearing themselves from the consequences which must result from the continuance of such measures.

The first and great measure of national defence, adopted and pursued by the minister, in opposition

to the consequences of that dangerous combination, now June 21st. first openly avowed by the court of Spain, was a proposal in the House of Commons, for increasing the militia to such a degree, as should double its present number. Although the opposition considered the measure as probably impracticable, and even dangerous, from the apprehensions they had of its being violently opposed by the people at large; and that along with several other causes of objection, they saw it would go in its effect to the annihilation of the regular or standing army, in cutting off its usual and only means of supply from the recruiting service; yet, they said, that in a season of such imminent public danger, they could not oppose any scheme, which carried a rational appearance of conducing to the public security. They would only use their endeavours to correct and improve, but they would by no means obstruct, any proposals of that nature. But although they so far concurred, they were not at all satisfied that the measure was well or wisely chosen; nor could they think any system of warfare, which went merely to the defensive, as that did, could be productive of honour or advantage to the nation. They thought the raising of new regiments would be infinitely better; and they severely reprehended the ministers for the continuance of that wretched system of policy, which had hitherto led them to reject with indifference, and even with contempt, the liberal and patriotic offers made by several of the peers in opposition, for immediately raising regiments at their private

expence for the defence of their country. But that narrow predilection in favour of men of a certain description, and particularly of the northern part of the island, was still, they said, predominant, and would continue while there was any thing left to bestow, or to lose; and thus the Duke of Rutland, the Earl of Derby, and others of the oldest English nobility, and supporters of the throne and constitution, met with indifference or insult, in their generous offers for the defence and protection of their country. It was bitterly observed on this occasion, that all the generous and disinterested offers for the service and preservation of their country, in this season of the greatest peril which she had ever known, came from those only, who were called the leaders or partizans of faction, and who were constantly represented as enemies to government; whilst not one of those who had grown rich in her spoils, or great in her ruin, neither ministers, contractors, court favourites, or *king's friends*, had offered to raise a single man, or to expend a shilling in her defence.

The minister seemed rather undetermined and irresolute about his bill, which he acknowledged to be merely an expedient. He called on all sides for assistance; and as there was an end of all particular party in this respect, the House was divided into as many parties as individuals, each proposing to add or subtract something. The first idea was, that government should be enabled to add 31,500 men to the militia, or in other words, that it should be augmented to double its present number; the matter

matter being still left open and discretionary, at the option of government, whether any, and how far the augmentation should take place. Among a multitude of particular opinions, three seemed more prevalent and general. One, for adopting the proposal as it originally stood; the second, for a mixed scheme, which with a smaller augmentation of the militia, proposed the raising of distinct volunteer corps; and the third, were against any augmentation of the militia, and would trust to the calling out and arming of the country in case of necessity, and to the spirit and patriotism of the nobility and gentry in raising forces, according to the offers which had been already made. Among the variety of amendments proposed, that by Lord Beauchamp, was the only one of any consequence that was carried through. That was a clause for the raising of volunteer companies, which were to be attached to the militia regiments of the county or district to which they belonged; and for this purpose, the lord-lieutenants of counties, were empowered to grant commissions to officers, as high as the rank of lieutenant-colonel, in proportion to the number of men they were able to procure.

23d. The committee having sat till past midnight upon this bill, the House was no sooner resumed, than they were surprized by the introduction of a bill of another nature, by the first law officer of the crown. The purpose of this bill was, to take away, for a limited time, the legal exemptions from being pressed to serve on board the navy, which several

descriptions of men and of apprentices, appertaining to the sea, or some degree to maritime affairs, had hitherto enjoyed; and also for suspending the right of suing out a writ of *habeas corpus*, for such breaches of those exemptions, as had already taken place from the 17th of that month, or as might still take place, before the final ratification of the bill.

It can scarcely be imagined, however the necessity of the time induced an acquiescence, that a measure of that nature could have passed without censure, and without much and warm discussion. The manner of bringing it forward, at so late an hour, and in a very thin house, already fatigued and worn down, by sitting so many hours to business, was even more reprobated than the measure. In the House of Commons it was likened to every thing, that was most odious. The opposition likewise condemned the measure itself, upon many accounts; but more particularly, for its being a breach of that public faith between the legislature and the people, which should ever be held sacred.

The learned mover justified those circumstances which were so severely condemned, by acknowledging that they had been designed and chosen, for the purposes of secrecy and dispatch; and to prevent the effect of the bill from being defeated, by the knowledge of its design, which the public prints would have spread through the whole nation. He justified the measure itself upon the ground of that necessity from which it originated; and observed with his usual acuteness, that he could not avoid

HISTORY OF EUROPE. [17]

avoid being astonished at the horror which was now expressed with respect to compulsion, when they were but newly risen from a committee, wherein they had been for ten hours engaged in framing a compulsive law, whereby arms would be forced into the hands of 30,000 men, whether they liked them or not.

The opposition totally denied the justness of the observation; as the one case, though exceedingly hard, was clear from any injustice, whilst the other, with equal hardship, carried the most manifest injustice. They lamented the fate of their country, which, being exposed to the most imminent danger from without, had, at the same time, its constitution torn to pieces within; and all those most valuable parts of it, which had hitherto excited the admiration or envy of mankind, were now doing away in the gross, or mangled and perishing in the detail.

In fact it is much to be doubted, whether there was any advantage to be obtained by this bill, which could fairly warrant some of the stronger parts of it. The urgency of the time, however, prevailed over every other consideration, and the indemnity bill (as it was called from its retrospective effect) was read twice on that night, and committed for the following, or rather the same, day. And on that day, after a good deal of debate, both the indemnity and militia bills, were carried through all the forms and passed.

Both the bills were combated with great vigour and ability in the other House, by the Marquis of Rockingham, and some other

of the lords in opposition. It was, however, to the surprize of all parties and people, that the militia bill was found not to meet with that favour from the lord president of the council, and several other lords on that side, which was, and with good reason, expected, from a consideration of its author. The indemnity bill was more fortunate, and after several proposed amendments which were rejected, and one, in favour of colliers, which proved effective, it was at length carried, upon a division, by a majority of 51, to 20 lords.

A former division had taken place upon a question of re-commitment, which was lost, by a majority of 50, to 24.—Fourteen peers, entered a protest relative to that question; and another was entered upon the last, which was signed only by four lords.

In the mean time, various proposals of amendment, modification, and substitution, were made with respect to the militia bill. The Duke of Richmond's knowledge in military affairs, supported by his uncommon abilities, gave him a superiority on this subject, which he displayed with great effect. Some of the court lords even acknowledged, that the objections and arguments, on that side, were so strong, that they could not be answered. Nor were the lord-lieutenants of counties, in general, at all satisfied with the bill.

In this state of things, the question June 30th, being at length put, whether the clause empowering his Majesty to order the militia to be augmented to double its present number, stand part of the bill, it was carried in the

the negative, by a majority of 39, to 22.

It was remarkable, that the lord president of the council, and both the secretaries of state, voted against the compulsory principle of this bill. The division was singular, in placing 22 lords, on the one side, and the whole opposition on the other, in situations which they rarely experienced on either. Two of the right reverend bench, undoubtedly through their ignorance in military affairs, were surprized into a minority on this occasion.

Thus disembowelled of all its original substance, the skeleton of the militia bill was returned to the Commons, with nothing of efficacy remaining, except the solitary supplemental clause added by Lord Beauchamp for the raising of volunteer companies. And thus the minister was exposed to the bitter taunts of the opposition, who observed, that that spirit of disunion and discord, which administration had so industriously and successfully spread, through every department of the state, whether civil or military, and through every part of the empire, had now seized the cabinet, and was equally visible among themselves. The minister could not conceal his chagrin, nor refrain from complaining of the conduct of his colleagues in the other House.

A new question now arose, which brought out considerable debate. For the militia bill being considered by several, as to all intents and purposes a money bill, they insisted, that no amendment of the Lords could be admitted, without a surrender of their own most valuable and peculiar privilege; and that

therefore, the bill must be totally rejected. The minister was, however, so eager, that something should be done, that might at least carry an appearance of looking towards the public defence and security, that it was determined, in the present instance, to overlook the point of privilege. Ingenious arguments were accordingly used, and nice lines of distinction drawn, to shew that the present was not properly a money bill; and these were combated, and attempted to be disproved, with equal ingenuity. The bill was, however, carried upon a division, by a majority of 63, to 45.

As the repeated attempts of the opposition in both Houses, for obtaining an address to prevent the prorogation of parliament, had failed of success, that event now took place. In the speech July 3d. from the throne, the most cordial thanks were returned, for the many great and essential services they had rendered to his Majesty and their country, during the course of their long attendance in parliament. Entire approbation was expressed, to the zeal which they had manifested in the support of the just and necessary war, in which he was engaged, and of the attention which they had paid to the state of Ireland. It was observed, that the events of war had afforded the court of France no reason to triumph on the consequences of their injustice and breach of public faith; and it was trusted, that by spirited and prosperous exertions, that ambitious power might be brought to wih that they had not, without provocation or cause of complaint, insulted

HISTORY OF EUROPE. [173]

insulted the honour and invaded the rights of the crown. With respect to Spain, whatever colour might be attempted to be put upon the unjust proceeding of that court, his Majesty was conscious that he had nothing to reproach himself with; the warmest acknowledgments were made, for those clear demonstrations of loyalty and affection to his person and government, which parliament had shewn upon that occasion; and it was considered as a happy omen to the success of his arms, that the increase of difficulties, served only to augment the courage and constancy of the nation. The additional burthens on the people were sincerely regretted. And it was said, that sufficient thanks could not be paid to the Commons for the confidence they had reposed in him, and for the chearfulness and public spirit, with which the large supplies for the current year had been granted. It was impossible to speak of the continuance of the rebellion in North America without the deepest concern; but they had given (the Crown and Parliament) such unquestionable proofs of their sincere disposition to put an end to those troubles, that it was still hoped, that the malignant designs of the enemies of Great-Britain, could not long prevail against the evident interests of those unhappy provinces.

C H A P. IX.

Hostilities in the East Indies. Sea-fight between Sir Edward Vernon and M. de Tronjolly. French Squadron abandon the coast of Coromandel. Siege of Pondicherry. Gallant defence by M. de Bellecombe. Capitulation. State of affairs in Georgia and the Carolina's. Loyalists defeated in North Carolina. American General, Lincoln, arrives in South Carolina to oppose Major General Prevost. Rebels defeated at Briar Creek. General Prevost passes the Savannah, and penetrates into South Carolina; advances to Charles Town; retires. Action at Stono Ferry. General Prevost takes possession of the island of Port Royal. Expedition from New York to Chesapeak Bay, under the conduct of Sir George Collier and Major General Matthews. Great damage done to the Americans in the neighbourhood of Hampton and Norfolk. Expedition up the North River; Stoney Point and Verplanks taken. Expedition to Connecticut, under Sir George Collier, and Governor Tryon. Surprise of Stoney Point by General Wayne. Recovery of that post. Attack upon Paulus Hook. Lieutenant Colonel MacLane besieged by an armed force from Boston. Relieved by Sir George Collier, who destroys the whole rebel marine in the Penobscot.

IT has happened unfortunately for the repose of a great part of mankind, that while the active and enterprizing spirit of the Europeans has extended their commerce and intercourse to the most distant parts of the world, their contentions have kept an equal pace with their discoveries, and have been either disseminated amongst, or in some degree affected the remotest nations; experience thereby overthrowing all that system of general benefit, which a speculative philosophy might otherwise have hoped, from a free and easy communication between all the different communities of men. Such indeed is the nature of man, that it may be a question of no small doubt, whether the proscriptive laws or policy of China and Japan against the admission of foreigners, are not founded in true wisdom; and however fatal they

may be to the progress of science, of arts, and of general knowledge, whether they do not lay a fairer and more permanent foundation of public security and private happiness, than more liberal institutions. It is at any rate clear, that the adoption of this policy, would have saved many great nations from unexpected ruin, and from general desolation.

Whilst the effects of the contest between France and England, were gradually spreading thro' different parts of the old and of the new, western world, its rage was speedily communicated, and unexpectedly broke out, in the remote regions of the east; in a quarter of the globe, naturally and originally appertaining, to the most peaceable, as well as to the most unmixed and primitive race of mankind; a race more abhorrent

HISTORY OF EUROPE. [175

horrent of blood and cruelty than any other.

It seems, that the English East India company, well seeing the consequences which the French treaties with America, and the delivery of the rescript at the court of London, must necessarily produce, did not think it fitting to regulate their policy, by that temporizing system of conduct, which apparently took place between the principals. They saw that semblance of peace could not long be preserved; and that no intermediate state, however coloured or disguised, could be kept long free from all the consequences of war; and they well judged, that long before any account of their proceedings in the east could be received in Europe, these consequences would take such effect, as to afford a sufficient cover and sanction to their measures.

The company had not forgotten, the imminent danger to which her settlements, and indeed her existence in India, had only a few years ago been exposed; when in a season of profound peace, France had clandestinely conveyed so great a military force to the islands of Mauritius and Bourbon, that she seemed to owe her deliverance more to fortune or accident, than to any timely knowledge she had of the design. Such a force might soon again be formed in those islands, with the same privacy as before; and from the shortness of the passage to Pondicherry, might drop so suddenly and unexpectedly upon the ground of action, that nothing could be hoped to resist its progress.

Under some or all of these con-

siderations, the company determined not to hazard the security of their invaluable possessions, by paying too great an attention to formalities, which carry no farther value, than what their immediate interest induces the respective parties to affix upon them. A bold and decisive measure, for the final reduction of the French power in India, was accordingly resolved, immediately upon, or very soon after the delivery of the French rescript; and the business was conducted with such laudable, but, for such a body, unusual secrecy, that the smallest idea of the design, until the effect was publicly disclosed by the accounts from India, did not transpire, even in this country.

The company had also the fortune, that the instructions were conveyed with unusual expedition to Madras; and preparations were accordingly immediately made for undertaking the siege of Pondicherry. Major General Monroe, who now commanded the company's troops on the coast of Coromandel, had assembled part of the force destined for the siege, on a spot of ground called the Red Hill, within four miles of that city, pretty early in the month of August. It was not, however, until the 21st of that month, that they were in sufficient strength to invest that fortress closely. On that day the troops advanced so near as to take possession of the bound hedge, (a planted fence, which at some distance surrounded all the works) within cannon shot of the fortifications, by which all communication with the country was entirely cut off. Some farther

1778.

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impediments, possibly arising from the climate, and from the difficulty of finding means for the conveyance of the artillery and stores, still retarded the progress of the works, until the 6th and 7th of September, on which days the besiegers were enabled to break ground both on the north and the south sides of the town, under a determination of carrying on both attacks at the same time.

Previous to these operations by land, Sir Edward Vernon, who commanded the small British naval force in those seas, sailed from Madras at the end of July to block up Pondicherry. His squadron consisted of the Rippon of 60 guns, the Coventry of 28, the Sea Horse of 20, the Cormorant sloop, and the Valentine East Indiaman. He had scarcely arrived on his station, when he obtained sight of the French squadron under M. de Tronjoly, consisting of the Brillante of 64 guns, the Pourvoyeuse of 36 eighteen pounders, the Sartine of 32 guns, and two French India ships armed for war.

Aug. 10th. A very close and warm engagement ensued, which lasted above two hours, when the French thought fit to quit the action. The English ships had suffered also too much, to continue long after in the same situation; but were preparing during the night, for the service which they expected in the morning. The French had, however, so much the worst in this action, that they were in no disposition at all for its renewal, and were accordingly, at day-break, totally out of sight. It appeared after, that they had got into Pondicherry that night to refit; whilst,

from the contrary winds, and a northern current, Sir Edward was not able to recover his station until the 20th of the month, at midnight. In this time he had been joined by the Besborough Indiaman, which supplied the place of the Valentine, then on her way to Europe. Early in the morning, a French vessel from Europe and the Mauritius, fell in among the British ships, and was taken. At the same time, they could perceive the French squadron, under an easy sail, standing out of Pondicherry road. An immediate engagement was now expected and prepared for, and nothing was left undone by the commodore, in order to close, as speedily as possible, with the enemy; but the alternate failure, and contrary direction of the winds, rendered all his efforts ineffectual. As the French commander had, however, as great and interesting an object in view, in keeping the town free by sea, as Sir Edward could have in shutting up the port, he made no doubt that the action would take place on the following morning as a matter of course, and on the side of the enemy, in a great measure of necessity.

Under this persuasion, he stood in for Pondicherry road at the approach of night, where he cast anchor, expecting the enemy would have done the same; more especially, as their motions during the day, had not indicated any design of avoiding an engagement. The French commander, however, seems to have consulted more the preservation of his ships, than that of the town. He accordingly, taking advantage of the night, abandoned Pondicherry, and a gar-
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rison which deserved better fortune, to their fate; and was so expeditious in his means of escape, that the French squadron were totally out of sight in the morning; nor were they at any time after seen or heard of on the coast. In three days after, the *Sartine* frigate, which had lost company with the squadron on the night of the late action, being ignorant of the present change of circumstances, had advanced so far in her way to get into Pondicherry, that when she discovered her mistake it was too late to be remedied, and she was accordingly taken by the British frigates. Thus was Pondicherry as closely blocked up by sea as by land.

This success of Sir Edward Vernon served greatly to facilitate the operations of the besiegers, and might have seemed sufficient, to have spread universal dismay and despondency among the besieged.

Sept. 18th. The batteries were opened under the powerful fire of 28 pieces of heavy artillery, and 27 mortars. Notwithstanding the dismantled state in which Pondicherry had been restored to the French at the conclusion of the late war, the fortifications seem to have been in no contemptible condition at this time; or if they were otherwise, the deficiency of strength was amply supplied by the gallantry of M. de Bellecombe, (who was both governor of the town, and general commandant of all the French settlements in the Indies) and the resolution of his brave garrison; who, nearly cut off as they were from every hope of succour, persevered to the last extremity in a determined and noble defence.

VOL. XXII.

The artillery of the besiegers, however, soon gained an evident superiority, and they were indefatigable in carrying on their approaches; but the alertness and obstinate defence of the garrison, rendered caution a matter of necessity; and together with the violent rains that then frequently fell, could not fail of considerably retarding their works. Notwithstanding these impediments, matters were so far advanced towards the middle of October, as to render an attack on the body of the place practicable. By that time, the besiegers had, on the south side, pushed a gallery into the ditch of the town, made a practicable breach in the bastion, called L'Hospital, destroyed the faces of the adjacent bastions, and prepared a bridge of boats for passing the ditch. Nor was the attack on the north side of the town in much less forwardness. The besiegers had there also destroyed the face of the opposite bastion, and had constructed a float for passing the ditch, which they were to bring into use, at the same time that their fellows were passing it to the southward. These two attacks were to be accompanied by a third, which was to take place by the sea side to the northward, where the enemy had a stockade running into the water. And when the general assault was resolved on, Sir Edward Vernon landed all his marines, and 200 seamen, to support and invigorate the attacks.

An exceeding heavy rain, which occasioned a great and sudden swell in the water of the ditch, on the very day preceding the intended storm, checked the design for the

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1778] ANNUAL REGISTER, 1779.

present, and fortunately prevented a cruel and bloody encounter. The water rose so high in the ditch to the southward, as to fill and blow up the gallery, besides greatly damaging the boats belonging to the bridge. But this impediment was but temporary. The damage was speedily repaired; and the 17th of October fixed on for making the general assault. In the mean time, M. de Bellecombe was neither ignorant of the impracticability of longer defending the place, nor blind to the danger and total ruin, in which an obstinate and unfounded perseverance would involve his garrison and the inhabitants. He accordingly, on the day preceding the intended attack, proposed a capitulation, which was willingly agreed to by the British commanders.

The conquerors gave the most ample and honourable testimony to the gallantry of their enemy in the terms of capitulation. The conditions were suitable to the generosity of those sentiments. Every requisition, that did not interfere with the public benefit or security, was, liberally agreed to. It was only on those accounts, that it was determined to send the European part of the garrison home to France, and to disband the seapoys and other native troops in the country, instead of sending the whole in a body to the isle of France (or Mauritius,) which was proposed. The garrison were allowed all the honours of war; and as a particular mark of attention to M. de Bellecombe, the regiment of Pondicherry were, at his request, allowed to keep their colours.

A numerous artillery, amounting in the whole, of all sorts and sizes, serviceable and unserviceable, to about 300 pieces, became a prize to the conquerors. All public property underwent the same fate; but whatever was private, was secured to the owners. The company's troops employed in this siege, amounted to 10,500 men, of whom 1500 were Europeans. The garrison to near 3000, of which 900 were Europeans. The comparative loss on both sides, was neither proportioned to the number or circumstances of those who were engaged; if we consider, as usual, the cover of the garrison as being far superior to that afforded by the works of the besiegers. The loss of the latter amounted to 224 slain, and 693 wounded; and the garrison, who were not near a third in number, had 200 men killed, and 480 wounded. A circumstance which perhaps may be attributed to the obstinacy with which their commander disputed every part of his ground.

Mr. Law, who had seen and undergone so many changes of fortune in India, and who had himself borne so considerable a share in its former revolutions, was included in this capitulation, and again beheld the power of his country annihilated in that quarter of the globe. It appears from some of the terms proposed by the besieged, by which they were desirous of including in the present capitulation, several French factories and settlements which had already been seized by the companies forces in Bengal and elsewhere, as also the crews of several French vessels which had been taken

HISTORY OF EUROPE. [179

taken in the Ganges, as well as on the coasts of Coromandel, that hostilities had been commenced in some of those parts so early as the first of July. The factories at Chandenagor, at Yaman, and at Karical, with the settlement at Masulipatam, are particularly specified in these proposed conditions; and others seem to be supposed. This extension of the capitulation, to past acts, and to distant places, was, however, deemed inadmissible by the conquerors.

We are now to turn our attention to the other side of the globe; and to relate the effects of this war in the place of its origin. The reduction of Georgia by the royal forces, soon afforded sufficient cause of alarm, and matter for trouble, to the two Carolina's. The Loyalists, or in American language the Tories, in the back parts of North Carolina, conceiving hope and courage from that event, were speedily in motion. We have formerly seen, that these people were numerous in the back of the southern colonies, particularly in those we have now mentioned; and although the loss and defeat which they had sustained under their leader Macdonald, in the beginning of the troubles, with other disappointments and losses of less magnitude, had considerably broken their spirit, and obliged those who were least venturous, or who were most attached to their families and settlements, to an apparent submission to the conditions prescribed by the victors, yet neither submissions nor conventions were sufficient to restrain the effects of that invincible aversion which they bore to

their present governors and governments, nor to prevent their watching with the most eager attention for any new opportunity that might offer for their again having recourse to arms, and endeavouring to shake off so grievous a yoke.

The most hardy and desperate of these people, had long been in the condition of outlaws, and had attached themselves to the Indians, and others of their own description, in the incursions on the frontiers. The nature and remoteness of the country, afforded them an opportunity of keeping up a free intercourse with their old friends, neighbours, and fellow sufferers in the same cause, who still continuing at home, had apparently submitted to the present government. This circumstance necessarily served to nourish and strengthen that disposition and spirit which we have described. From these circumstances, and from the cast of mind and of manners acquired by their constant intercourse, whether as friends or as enemies, with the savages, they were ever ready to take up arms; and many of those, who continued in the occupation of their farms, and assumed the character of living peaceably at home, occasionally joined the parties which were openly in arms on the frontiers, and bore a share in all the devastation they committed.

About 700 of these people accordingly assembled in arms, in the back part of North Carolina. It does not seem probable that their hopes could have extended to the bringing about of a revolution in that province by any force of their own; and the distance, with other circumstances, afforded no

well founded expectation, that they could have received any timely support for its accomplishment. Their alertness and zeal were, however, stimulated into action by the accounts of General Prevost's success. But their usual ill fortune still stuck by them; and before they were able to do any thing of moment, they were attacked and entirely defeated by some of the nearest militia, having lost near half their number, in killed, wounded, or taken. About 300 of the remainder, however, found means to make their way good in a body to the back part of Georgia; from whence having proceeded to the nearest British posts, they by degrees joined the royal army. It appears that the loyal party, even in this quarter where it was strongest, (being in a great measure composed of emigrants from North Britain,) was infinitely inferior to the ill-affected; and that without the great and continual assistance of the royal army, the well-affected inhabitants, in no part of America, were in a condition to make head against the rebels.

South Carolina was the great and immediate object of hope and fear. Its great distance from the main army, and scene of action, together with the difficulties of the way, rendered relief slow; and there were other sufficient circumstances to make it uncertain. Money is justly considered as the great sinew of war; and its want, necessarily cramped all the military operations of the Americans; the defect, however, increasing, in proportion to the distance of the service, and the consequent increase of the expence. Those

who are accustomed to the aid of boundless resources, are apt to conceive no other impediment, than what may arise from the counter operations of the enemy. But a people scarce of money, new in government, and consequently destitute of those sources and establishments, which the industry and policy of ages have been accumulating or forming in ancient states, experience other more insuperable difficulties than marching or fighting in their military operations. Under a due consideration of these circumstances, of the mighty force, immense wealth, and unbounded supply of that great power with which they were contending, together with the vast extent, the remote services, and complicated nature of a war, carried on equally by sea and by land, on every side and on every quarter, but still blazing up more fiercely and strongly in the very center of life and action, it must ever excite the astonishment of mankind, and perhaps be hereafter considered as an inexplicable paradox, by what means the new American colonies could have been able, for so long a time, to have sustained, in any manner, such a contention.

Although a detachment of British troops under Colonel Campbell, had penetrated as far up the river as Augusta, which lies 130 miles higher than the town of Savannah, yet the length and difficulty of the communication, and the danger to which it was exposed from the vicinity of the enemy in South Carolina, the river being the only boundary between the two provinces, induced General Prevost, in some time

HISTORY OF EUROPE. [181

after, to recal that party, and to contract his posts in such a manner, that Hudson's Ferry, at 24 miles distance, was the upper extremity of that chain which he formed along the frontier from the capital.

In the mean time, General Lincoln, with a reinforcement of continental troops, had arrived for the protection of South Carolina, and was posted at Purrysburgh, on the north side of the river, and about 20 miles above the town of Savannah; a circumstance to which probably may be attributed the measure adopted by General Prevost, of collecting his force within a closer compass. A body of the provincial troops, and militia of the Carolina's and of Georgia, amounting to about 2000 men, were higher up the river, under the command of a General Ashe; and upon the retreat of the detachment from Augusta, were ordered by Lincoln to leave their baggage behind, and passing the river into Georgia, to take post in a very strong situation on Briar Creek; intending thereby to cover the upper part of the country, where the disaffected to the royal cause, had, on the departure of the British troops, again assumed their wonted superiority.

Lieutenant Colonel Prevost, who was posted at Hudson's Ferry, about 13 miles lower down the river, formed a design of surprizing Ashe in his strong post; a measure which did not seem very practicable, as Briar's Creek, which covered his front, was for several miles too deep to be forded; the Savannah, and a deep morass covered his left, and he had 200 horse to guard his

right. The design being ripened for execution, General Prevost made such dispositions and movements on the borders of the river, between Savannah and Ebenezer, as were sufficient to attract and take up the attention of General Lincoln, during its prosecution. The colonel, in the mean time, having divided his force in two parts, advanced one, with two pieces of cannon, towards Briar Creek, with an apparent view of attacking the enemy, where they were invulnerable, in front. The other division of his force, consisting of the second battalion of the 71st regiment, three companies of grenadiers, some light infantry and horse, amounting in the whole to about 900 men, he led himself a circuitous march of about 50 miles, in order to get round, or to cross Briar Creek, and thereby turning the right, to fall unexpectedly upon the rear of the enemy.

The success of the enterprize was insured by the injudicious conduct of the American General, Ashe, who, in the moment of peril, had detached his light horse upon some unprofitable expedition, and thereby laid himself open to surprize, and left the only weak part of his camp exposed and uncovered. The surprize was accordingly as complete March 3d. as could have been wished. The American 1779.

were surprized in open day light, and received the first notice of danger, from the havock which the British troops made in their camp. Whole regiments fled without firing a shot, and numbers without even attempting to lay hold of their arms. The deep

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marsh, and the river, which should have afforded security, became now the instruments of their destruction. Blinded by their flight and terror, many were swallowed up by the one, and drowned in the other. Several of the officers, with a regiment of North Carolina men, took bravely, however, to their arms, and gained some honour by an ineffectual defence.

The rebels lost seven pieces of cannon, almost all their arms, their ammunition, and what baggage they had been under a necessity of bringing with them. About 150 men were killed, and 200 taken, among whom was Brigadier General Elbert, the second in command, and one of their best officers, besides some others of note. The number lost in the Savannah and the swamp is not known; and the loss on the side of the victors was so trifling as not to deserve mention. By this defeat, the province was again cleared of the enemy; and although the general did not think it prudent to advance his posts far upwards, yet those which he retained were freed from insults, his communications were opened with the back country, the loyalists, both in Carolina and Georgia, were encouraged to join the army, and his force being collected, was ready to act upon any immediate service which might offer.

Such continued, pretty nearly, the situation of the two small hostile armies until the latter end of April. Separated by a river, which neither of them could venture to pass in the face of the other, they were both secure in their posts, and each covered his respective province. A movement

at that time made by General Lincoln, presented, however, a new face of affairs, and opened a way for consequences, which he evidently did not apprehend, and which he undoubtedly would not have hazarded if he had. In order to protect either a meeting, or an election, of delegates for the province of Georgia, which was appointed to be held at Augusta in the beginning of May, he quitted his situation on the lower part of the river, which effectually enabled him to secure Charles Town, as well as to cover the province in general, and marched with the best part of his army towards that place. Indeed it did not appear easy to suppose, that this measure was liable to any dangerous consequences. The freshes were then out, which seemed to render the river in itself a sufficient rampart; but the deep swamps on the other side seemed utterly impassable; or if these could even be evaded, the general appearance of the flat flooded country along the coast, every where intersected with rivers and creeks, seemed to forbid all military operations at that season on that side. But Lincoln did not trust entirely to natural difficulties; he besides left, under the conduct of General Moultrie, a body estimated at about 1500 men, and composed chiefly of the provincial militia, to guard the passes of the river and swamps.

This movement inspired General Prevost with an idea of attempting to penetrate into Carolina. He considered, that offensive operations were necessary to support and increase the reputation of the British arms in that quarter; that his force

force was already considerably increased by the accession of loyalists from that province as well as Georgia, from whence there was reason to hope, that his appearance in the country might induce great bodies of the well-affected to declare in his favour; and, in any case, it would be the sure means of obliging Lincoln to abandon his design, and would at the same time afford an opportunity of procuring a plentiful supply of provisions, which he wanted.

Under the influence of these considerations, he passed the river in different parts near the end of April, with a force, which, so far as can be gathered, may be estimated at about 3,000 men. Moultrie's militia were struck with such a panic, at seeing the British troops traversing a country, and emerging from swamps which they deemed impassable, that they made but a weak resistance in defending the several strong passes which might have effectually checked their progress; and at length, as the country became more practicable, gave way on all sides, and retired towards Charles Town.

The facility with which the army had triumphed over the extraordinary natural impediments of the country, together with the feeble resistance of the enemy, served to extend the views of the general to objects of greater moment, than those which had operated in engaging him to undertake the expedition. The loyalists, in the eagerness of their hopes and wishes, which no failure or disappointment could ever slacken or damp, failed not to improve this disposition, which was so favourable to them. They assured the general, as a mat-

ter of undoubted certainty, that Charles Town would surrender without resistance, at his first appearance. The object was so important, and the temptation so great, that inclination and duty must have been equally urgent to its acquisition. Nor did it seem well in the power of a commander, in a matter of so much consequence to the state, to have slighted the information of those, who had the best means of knowing both the state of the place and the disposition of the people; it would be no easy matter afterwards to shew that it deserved no credit, and that the design was utterly impracticable. General Prevost, notwithstanding, did not think it fitting entirely to rely upon his own opinion, and therefore called all the field officers of his army to consultation upon the subject, who unanimously concurred in their advice for his advancing directly to Charles Town. The conduct of General Lincoln served greatly to strengthen this opinion, who was so positively persuaded, that General Prevost intended nothing more than to forage the country, that it was not until some days after the British forces had passed the river, that he could be induced to return to the defence of the capital. But when he was at length convinced of the real danger of that city, he immediately detached a body of infantry, mounted on horseback, for the greater expedition, to its defence, and collecting the militia of the upper country, returned with his whole force, to act as circumstances might offer for its relief.

In this situation of things, the British army were some days march a-head of Lincoln in the way to

Charles Town, and Moultrie's Militia, and Polaski's Legion, retiring from one creek and river to another towards that place, as they were pressed by the former. So many bridges and passes could not be gained without some skirmishes, but the resistance was still so weak, that they were attended with no circumstances of any consequence; it is however to be observed, that as the families and effects of Moultrie's Militia lay pretty generally in the line of march, these considerations touched them so closely, that his force suffered a continual diminution from the outset, which besides the weakness it produced in lessening his numbers, served necessarily to dishearten those who remained.

May 11th. At length the British army arrived at Ashley River, which they passed, a few miles above Charles Town, and advancing along the Neck formed by the two rivers of Ashley and Cooper, took post within little more than cannon shot from the works of that city. A continued succession of skirmishes took place on that day and the ensuing night, which, though necessarily attended with loss on both sides, were of no farther consequence to either. On the following morning, the general summoned the town to surrender, and held out very flattering conditions to induce them to a compliance. The negotiation continued during the day, and a proposal was made by the city for a neutrality for their province during the continuance of the war. This being rejected on the one side, as the favourable conditions proposed by the general were on the other, the negotiation was broken off in

the evening, and every preparation made by the inhabitants and garri-son, for vigorously repelling a general assault which was expected to take place in the night.

But General Prevost, finding himself totally disappointed in every hope that had been held out to him relative to Charles Town, had other objects of serious consideration now before him. He found that no offers he could make were sufficient to induce the enemy to a surrender, and that their countenance shewed the fullest determination of defence; that their lines were defended by a numerous artillery, and flanked by their armed shipping and galleys; and that Gen. Lincoln, with a force, at least equal, if not superior to his own, was fast approaching. On his own side, he had neither battering artillery, nor a naval force to co-operate with his land forces; which were two articles so indispensably necessary for carrying the place, that their want seemed an insuperable bar to every hope of success. And if he were repulsed with any considerable loss, which was much to be apprehended, his situation, involved as he was, in a labyrinth of rivers and creeks, surrounded on all sides by a superior enemy, and his retreat continually impeded by swamps and difficult passes, seemed scarcely to admit of a hope, that any part of his small army could have been preserved.

Under these considerations, he prudently decamped on that very night, and having previously taken care to leave a proper guard for the security of the pass at Ashley Ferry, he had by morning returned to the south side of that river, without interruption, or the know-

HISTORY OF EUROPE. [185

knowledge or smallest suspicion of the enemy, who had been the whole time standing to their arms, under the momentary apprehension of a furious attack. From thence the army passed to the islands of St. James and St. John, which lie to the southward of Charles Town Harbour, and from their cultivation and fertility afforded good quarters and plenty of provisions for the troops. These begin that almost continued succession, and sometimes labyrinth of islands, into which, the sea with its numerous inlets, and the frequent rivers and creeks, have divided that low flat country, which extends along the coast from Charles Town to Savannah; the channels by which they are intersected, or separated from the continent, being in some places very narrow and inconsiderable, are in others so great, as to afford excellent harbours or roads for shipping.

In these islands, the army impatiently expected those supplies of ammunition and necessaries from New York, which they exceedingly wanted. The first ships which had been dispatched with these supplies had the ill fortune, of being either taken, destroyed, or driven back by the enemy. The arrival of two frigates of war, at length removed the distresses of the troops, and enabled the army to return to the southward.

The object now with the general was to take and hold possession of the island of Port Royal; a measure which held out many present and future advantages, among which it was not the least, that it would afford good quarters and an eligible situation to the troops, during the intense heats and the very

unhealthy season, which were then either prevailing or approaching. By this means also, he would hold a sure footing in South Carolina, from which it was not in the power of the enemy to move him, until the long expected and wished for reinforcements arrived, which might enable him to proceed effectually in the reduction of that colony. In the mean time, no position could be better chosen for covering Georgia on that side; the excellent harbour of Port Royal, was the best station in that quarter for the royal shipping, and its vicinity to the town of Savannah, with the open communication between both places, served all together to render it a post of great importance.

While the greater part of the army were engaged in the operations of moving from one island to another, and of establishing the different posts which it was thought necessary to occupy during the sickly season, General Lincoln thought it a proper opportunity to attack Lieutenant Colonel Maitland, who was strongly posted at the pass of Stono Ferry, which seems to be on the inlet between the continent and the island of St. John. The Colonel's force consisted of the first battalion of the 71st, and one Hessian, together with the Carolina refugees; the two battalions being so weak and reduced, that his whole number is said to have amounted only to about 800 men. The post, however, besides its natural advantages, was well covered with redoubts, an abbatis, and artillery. On the other side, the American force is represented as amounting to 5,000 men, and eight pieces of cannon.

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June 20th. They made the attack with great spirit, and supported it for about an hour; but were received with such a countenance, and such coolness and firmness, and so much galled by the fire of an armed flat, which covered the left flank of the post, that they were then obliged to retire with considerable loss. The assailants attribute their retreat to the strength of the redoubts, which their light field pieces were totally incapable of making any impression on, and to a strong reinforcement, which arrived from the island of St. John, during the action, to the support of the post. The royal forces lost some officers as well as men; and above a hundred of both were wounded. The Americans lost some officers of name; and it cannot be doubted, that their loss in general was considerably greater. The army met with no obstruction in its movement to Port Royal; and the season put an end to all operations on either side in that quarter.

In the beginning of May, Sir Henry Clinton concerted with Sir George Collier, who now commanded the marine at New York, an expedition to the Chesapeake, and a descent upon Virginia, as measures, which more than any other that could be undertaken, would contribute to the embarrassment and distress of the enemy.

A sufficient naval and land force for the intended purposes, was accordingly dispatched from New York, under the conduct of Sir Geo. Collier, and Maj. Gen. Mathew. The fleet having successfully passed between the Capes of Virginia, the Reasonable man of

war, with some armed tenders, were left in Hampton Road, to block up that port, and to intercept the navigation of the River James; whilst Sir George Collier, having shifted his pendant to a frigate, proceeded with the smaller ships of war and transports up Elizabeth River. The town of Portsmouth being their immediate object, and the fleet delayed by some circumstances of wind or tide in its passage, the general and troops, impatient of delay, and apprehensive that the enemy might have time either to strengthen their works or receive succours, were landed at some distance, and marched directly towards that place.

The town was open and defenceless, but the passage to it by water was covered by Fort Nelson, which had been constructed at about half a mile's distance for that purpose. But the garrison of the fort, knowing that no succour was at hand, and that the fort was incapable of any effectual defence, to avoid being surrounded and made prisoners, abandoned it at the approach of the army, who of course took possession both of that and the town. The town, or remains, of Norfolk, on the opposite side of the river, fell likewise into their hands. Upon the approach of the fleet and army, the enemy burned several of the vessels in these ports, among which were two large French ships, loaded with a thousand hogheads of tobacco; the celerity of the invaders having, however, checked the destruction pretty early, several others were saved, and fell accordingly into their hands.

HISTORY OF EUROPE. [187

The general pushed on detachments to take possession of two strong posts several miles in front, which from the nature of the country, served to cover the approaches to his camp from any sudden attempt of the enemy. In the mean time, the British guards having marched eighteen miles by night to the town of Suffolk, on the Nansemond river, arrived there at day-break. They found the place had been hastily abandoned at their approach; and they immediately proceeded to the destruction of a very large magazine of provisions, together with the vessels and naval stores which they found there. A similar destruction was carried on at Kempe's landing, Shepherd's, Gosport, Tanner's creek, and other places in that quarter; nor were the frigates and armed vessels less active or successful in their service, on the rivers, and in the near parts of the bay.

Within a fortnight, that the fleet and army continued upon the coast, the loss sustained by the Americans was prodigious. Several thousand barrels of pork, with other provisions in proportion, which had been prepared for Washington's army, and a great quantity of stores, were destroyed at Suffolk and Shepherd's. In other places these articles were brought off. Above 130 ships and vessels of all sorts, were destroyed or taken. Of these, 17 prizes were brought away; among those destroyed or taken, were some privateers, and vessels of force. All those upon the stocks were burned; a considerable quantity of naval stores brought off; and every thing relative to the building or fitting

of ships, that was not conveniently portable, destroyed.

The commanders received from the loyalists, according to their usual custom, such flattering accounts and positive assurances, of the general disposition of the people of that colony to return to the obedience of their sovereign, and their impatience to see the royal standard erected amongst them, that Sir George Collier could not avoid representing the matter in his letter to Sir Henry Clinton, in the full view in which it appeared to himself. If it was not, however, thought fitting to adopt the measure in its full extent, he strongly urged the great advantages which would accrue from sending them such reinforcements, as would enable them to hold a footing in the country, by converting Portsmouth into a place of arms, and rendering it thereby a sure asylum for shipping; purposes, which from its situation, it seemed well calculated for answering, and which would have totally destroyed the trade of the Chesapeake. On the other hand, it was a place removed from succour, and in a manner surrounded with the greatest forces of the enemy. It is evident that Sir Henry Clinton saw these matters in a very different light, from that in which they were viewed by Sir George Collier. He sent an order for their immediate return. The fleet and army, with their prizes and booty, (having first demolished Fort Nelson, and set fire to the store-houses and all the other buildings in the dock-yard at Gosport), arrived safe at New York before the expiration of the month,

An expedition which General Sir Henry Clinton was upon the point of undertaking up the North River, probably contributed to the more speedy recall of the forces from the Virginia adventure. The enemy had for some time been engaged, and at great labour and expence, in constructing very strong works, at the two important posts of Verplanks Neck, and Stoney Point, in the Highlands. These posts, which are on nearly opposite points of land, the first being on the East, and the other on the West side of the North river, were of the utmost importance for keeping the communication open between the Eastern and Western colonies, the great pass called King's Ferry lying directly between them. As these works were nearly completed, but not yet defensible, the general thought it the proper season to avail himself of the industry of the enemy, and to reap the fruits of their toil. Washington, who lay with his army at Middle Brook in Jersey, was at too great a distance to interrupt the execution of the design; nor could his efforts at any rate have extended to the eastern side of the river. We have already had occasion to see the prodigious advantage, which the naval command of that great river and boundary afforded to an army, in any single or double scheme of operation on either side.

The troops destined for this service, under the command of Major General Vaughan, were only

May 30th. newly embarked, when they were joined by the force returned from the Chesapeake, and proceeded all together up the North River; the naval depart-

ment being under the conduct of Sir George Collier. On the following morning, General Vaughan, with the greater part of the army, landed on the East side of the river, about eight miles short of Verplanks; whilst the remainder, under the conduct of General Pattison, and accompanied by Sir Henry Clinton, advancing farther up, landed within three miles of Stoney Point. Upon the appearance of the ships, the enemy immediately abandoned their works; but took care to set fire to a large block-house. Upon the approach of the troops to take possession of Stoney Point; they, however, made some shew of resistance, by drawing up on the hills; but they did not venture to abide the conflict.

The Americans had finished a small, but strong and complete work, on the opposite side of the river, which they called Fort la Fayette; this was defended by four pieces of artillery, and a small garrison of between 70 and 80 men. But this little redoubt, though strong in itself, was effectually commanded by Stoney Point, which lies at about a thousand yards distance on the opposite shore; and it being exceedingly difficult of approach from its own side, at least for the conveyance of artillery, the attack was accordingly intended from the other. For this purpose, General Pattison, with infinite fatigue and labour, and the most indefatigable perseverance during the night, overcame the difficulties of dragging the heavy artillery, from a very bad landing place up a steep precipice, to the top of the hill; and his exertions and arrangements were

HISTORY OF EUROPE. [189

were so effectual and judicious, that by five on the following morning, he had opened a battery of cannon, and another of mortars, on the summit of the difficult rocks of Stoney Point, which poured a storm of fire over on Fort la Fayette.

The attack was supported by Sir George Collier, who advanced with the galleys and gun-boats within reach of the fort. The cannonade was continued on all sides during the day; and as soon as it was dark, Sir George ordered two of the galleys to pass the fort, and anchor above it, in order to prevent the escape of the garrison by water. In the mean time, General Vaughan with his division, having made a long circuit through the hills, was at length arrived, and had closely invested the fort on the land side. The garrison seeing that all possibility of escape was now cut off, and that their fire was totally overpowered and lost in the magnitude of that which they received, surrendered their little fortress on the following morning, and themselves prisoners of war, without any other stipulation than that of humane treatment. The boldness of their defence certainly merited some praise, although we do not know that it was paid on either side.

The general gave immediate direction for finishing and completing the works of both posts, and for putting Stoney Point in particular, in the strongest state of defence. And for their better support and protection, as well as with a view to the further operations of the campaign, encamped his army at Philipsburg, something about half way down the river to

New York Island; which he likewise rendered a post of some importance, by throwing up works, in order for the establishment and preservation of a free communication in future. By the loss of these posts, the rebels in the Jerseys were under a necessity of making a detour of above ninety miles through the mountains, to communicate with the countries East of Hudson's River.

The state of the hostile armies on both sides with respect to actual force, together with the want of money, and the paucity of military provision on one, necessarily limited the views of the opposite commanders, and prevented their undertaking any decisive or extensive operations. They were each in a strong state of defence, and neither had such a superiority of force, as could compel his adversary to relinquish the advantages of his situation. Washington was besides in expectation of foreign aid; and it would have been little consistent with his usual character of caution and judgment, to have run the hazard by any previous attempt, or hasty measure, of weakening his natural strength in such a degree, as might render him incapable of profiting by the assistance of his ally, and the American arms and force, of course contemptible in his eyes. The campaign was accordingly languid, and its operations confined to the surprize of posts, and to desultory excursions; to the last of which, the Americans were now, as at all times, exceedingly exposed, and upon no footing of equality with their enemy.

The numberless small cruizers, whale-boats, and other craft of that

that nature, from the Connecticut coasts, which infested the sound, lying between that colony and Long Island, were so watchful and constant in their depredations, and their situation afforded them such opportunities, that they had nearly destroyed the trade to and from New York on that side, to the very great discommodity and distress of that city, as well as of the fleet and army. Upon this account, General Sir Henry Clinton, and Sir George Collier, determined on a course of desultory invasions along that coast, with a view of curing the evil, by cutting off the means of depredation in the destruction of their piratical craft, and so far as it could be done, of their other vessels and materials for building.

Governor Tryon, who was likewise a general officer, was appointed to the conduct of the land service in this expedition; his force amounted to about 2,600 men, and he was seconded by Brigadier General Garth, an officer of distinguished merit and activity. The fleet having arrived at Newhaven, the forces were landed, and took possession of that town, and of a battery that covered the harbour, without any great loss, although they met with every impediment in their power, and no small share of irregular resistance from the inhabitants and neighbouring militia. The fort, and every thing for naval or military purposes, were destroyed. The town was spared, although first doomed to destruction, owing to some measures observed by the militia, in not molesting the troops on their retreat.

The fleet departed from New-

haven to Fairfield, where the troops were again landed, and again opposed. Here the town was set on fire, and every thing of value consumed. The same measure was repeated in the subsequent and concluding expedition to Norwalk; where the militia being more numerous, and the resistance greater, than in the former places, both that town, and the small one of Greenfield, were totally destroyed. The loss sustained by the Americans in this last act of the expedition was very great. Besides that of their houses, and effects, a considerable number of ships, either finished or on the stocks, with a still greater of whale boats and small craft, with stores and merchandize to a large amount, were all destroyed.

Whether it was, that this course of destruction was contrary to the intention and approbation of Sir Henry Clinton, or from whatever other cause it proceeded, it was suddenly stopped in its career, by an order from that general for the immediate return of the troops. The loss sustained by the royal forces was very trifling, considering the opposition they met with; the whole number, in slain, wounded, and missing, being under 150, of which, not above a seventh were killed on the spot.

The fires and destruction which marked this expedition, were attributed to different causes. Partly to the resentment excited by the rebels, in their firing from the tops and windows of their houses; partly to the zeal of the loyal American refugees, who were implacable in the resentment which they bore to their countrymen on the opposite side, and who from that

HISTORY OF EUROPE. [191

that spirit, along with their intimate knowledge of the country, were particularly necessary in these enterprizes; and, as it was said, in some instances to military necessity, the burning of the houses serving to mask the retreat of the troops. Major General Tryon, however, justified the measure, in his letter to the general, upon the fair principles of policy; and said, he should be very sorry, if it was thought less reconcilable with humanity, than with the love of his country, duty to the king, and the law of arms, to which America had been led to make the awful appeal. That the usurpers had professedly placed their hopes of severing the empire, in avoiding decisive actions, upon the waste of the British treasure, and the escape of their own property, during the protracting of the war. That their power was supported by the general dread of their tyranny, and the arts practiced to inspire a credulous multitude with a presumptuous confidence in the forbearance of the royal forces. And, that he wished to detect this delusion, and, if possible, without injury to the loyalists.

Whatever force or justice there might be in these arguments, the measure of burning and destroying the country seemed an improper accompaniment, to an address of invitation which was circulated among the inhabitants, urging them to return to their duty and allegiance. Mr. Tryon, however, regrets in his letter, the burning of their places of worship; but justly observes, the great difficulty of assigning any fixed limits to a conflagration, where the buildings are close, and the houses

composed of such very combustible materials as boards and shingles. This expedition afforded abundant matter, for the renewal and increase of that loud clamour, which the Americans had so long raised, and so widely extended, relative to the cruel, and unheard-of manner, in which, they pretended, that the war was conducted on the royal side. Nor did it seem to produce any great effect with respect to its immediate object, of checking the depredations of the American cruizers; for so bold and numerous were they, that in a very few days after, two of the royal sloops of war were taken by them.

The surprize of Verplanks and Stoney Point, drew Washington and his army from the Jerseys, to the high, strong, and mountainous country, above those posts, and on both sides of the North river. General Sir Henry Clinton's object was, to draw him down, if possible, from these fastnesses into the flat country, and thereby to bring on a general engagement in that sort of ground, which would have been adapted to the exertion of those peculiar advantages, and that decided superiority, which the royal army possessed. This was among the motives which led to the Connecticut expedition; and others of less note, were undertaken upon the same principle. It was, however, a matter of no small difficulty to lead Washington into such an error; nor could any art in the laying or covering of the design, afford more than a very doubtful prospect of its success.

Whilst the hostile armies were thus watching each others motions with

with the most unremitted attention, an enterprize of spirit, and éclat, was undertaken on the American side, and successfully carried into execution by General Wayne. As no industry had been wanting in compleating or repairing the works at Stoney Point, which the length of possession would admit of, that post was now in a very strong state of defence; and was garrisoned by the 17th regiment of foot, the grenadier companies of the 71st, a company of loyal Americans, and some artillery; the whole being under the command of Lieutenant Colonel Johnson. The garrison in the opposite post at Verplanks Neck, was under the conduct of Lieutenant Colonel Webster; and was at least equal in force to that at Stoney Point.

General Wayne was appointed to the difficult task of surprizing and reducing Stoney Point; for which he was provided with a strong detachment of the most active infantry in the American army. These troops having set out from Sandy Reach July 15th. about noon, had a march of about fourteen miles to surmount, over high mountaips, through deep morasses, difficult defiles, and roads exceedingly bad and narrow, so that they could only move in single files during the greatest part of the way. About eight o'clock in the evening, the van arrived within a mile and a half of their object, where they halted, and the troops were formed into two columns, as fast as they came up. While they were in this position, Wayne, with most of his principal officers, went to recon-

noitre the works, and to observe the situation of the garrison.

It was something not unworthy of observation, that the bayonet, which had been so often fatally employed against the Americans in similar cases, was the only weapon which they used in this attack. It was near midnight before the two columns approached the place; that on the right, consisting of Febiger and Meig's regiments, was led by General Wayne; the van, consisting of 150 picked men, led by the most adventurous officers, and commanded by Lieutenant Colonel Fleury, advanced to the attack, with unloaded muskets and fixed bayonets; they being preceded by an avant-guard, consisting of an officer of the most distinguished courage, accompanied by twenty of the most desperate private men, who, among other offices, were particularly intended to remove the abbatis, and other obstructions, which lay in the way of the succeeding troops. The column on the left, was led by a similar chosen van, with unloaded muskets and fixed bayonets, under the command of a Major Steward; and that was also preceded by a similar forlorn hope. The general issued the most pointed orders to both columns, (which they seem strictly to have adhered to) not to fire a shot on any account, but to place their whole reliance on the bayonet.

The two attacks seem to have been directed to opposite points of the works; whilst a detachment under a Major Murfree engaged the attention of the garrison, by a feint in their front. They found the approaches more difficult, than even

HISTORY OF EUROPE. [193*

even their knowledge of the place had induced them to expect; the works being covered by a deep morass, and which at this time was also overflowed by the tide. The Americans say, that neither the deep morass, the formidable and double rows of abbatiss, or the strong works in front and flank, could damp the ardour of their troops; who, in the face of a most incessant and tremendous fire of musquetry, and of cannon loaded with grape shot, forced their way at the point of the bayonet through every obstacle, until the van of each column met in the center of the works, where they arrived at nearly the same instant.

General Wayne was wounded in the head by a musket ball, as he passed the last abbatiss; but was gallantly supported, and helped through the works, by his two brave Aid de Camps, Fishbourn and Archer, to whom he acknowledged the utmost gratitude in his public letter. Colonel Fleury, who we may perceive by his name to be a French officer, had the honour of striking the British standard with his own hand. Major Steward, and several other officers, received great praise; as did in particular the two Lieutenants, Gibbons and Knox, one of whom led the forlorn hope on the right, as the other did on the left; and who had both the fortune to escape unhurt, although the first lost seventeen men out of twenty in the attack.

There is scarcely any thing in the transactions of war, which affords more room for surprize, and seems less to be accounted for, than the prodigious disparity between the

VOL. XXII.

numbers slain in those different actions, which seem otherwise similar, or greatly to correspond, in their principal circumstances, nature and magnitude. Nothing could well be supposed, from its nature and circumstances, more bloody, in proportion to the numbers engaged, than this action; and yet the loss on both sides was exceedingly moderate. The fate of Captain Tew of the 17th regiment, who fell in this action, being rather singular and unfortunate, was accordingly regretted. He had been left for dead on the field in the last war; and perhaps no other officer in Europe had survived so great a number of wounds, as he had received in the course of his service. Promotion had been long promised and expected; but through the want of any particular interest to support that claim, which his long services, merit, and particular sufferings, seemed, indeed, to render unnecessary, he finished his military career at the head only of a company.

Nothing could exceed the triumph of the Americans, upon the success of this enterprize, and the vigour and spirit with which it was conducted. It must, indeed, be acknowledged, that, considered in all its parts and difficulties, it would have done honour to the most veteran soldiers. Washington, the Congress, the General Assembly, and the Supreme Executive Council of Pennsylvania, seemed emulous in their acknowledgments, and in the praises which they bestowed upon General Wayne, his officers, and troops. In these they particularly applaud the humanity and clemency shewn to the vanquished, when, (they

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say) by the laws of war, and stimulated by resentment from the remembrance of a former massacre, they would have been justified in putting the whole garrison to the sword. Nor were real or honorary rewards to the officers forgotten. The total number of prisoners amounted to 543, and the slain of the garrison, according to the American account, to 63; which taken together do not differ very widely from the imperfect return sent in a hurry by Colonel Johnson; taking it for granted, (as was undoubtedly the case) that those whom he reckons as missing, are included in either part of the calculation. The trophies, artillery, and stores, were not, in respect to the nature and extent of the post, inconsiderable.

As soon as Stoney Point was taken, the artillery was directly turned against Verplanks, and a furious cannonade ensued, which necessarily obliged the shipping at the latter place to cut their cables, and fall down the river. The news of this disaster, and of Webster's situation, who also expected an immediate attack on the land side, no sooner reached Sir Henry Clinton, than he took the most speedy measures for the immediate relief of the one post, and the recovery of the other. The whole British land and naval force was accordingly in motion. The general, with the main army, advanced to Dobb's Ferry; the cavalry, with a detachment of light infantry, pushed forwards to the banks of the Croton river, in order to awe the enemy on that side, in their attempts by land against Verplanks; and Sir George Collier, with the frigates, armed vessels, and tran-

sports of the fleet, having Brigadier General Sterling, with three regiments on board, proceeded up the river.

But however great the importance or value of Stoney Point, Washington was by no means disposed to hazard a general engagement on its account; more especially in a situation, where the command of the river would afford such decisive advantages to his enemy in the disposition, and sudden movement of their troops, whether with respect to the immediate point of action, or to the seizing of the passes, and cutting off the retreat of his army, as might probably be attended with the most fatal consequences. He informs the Congress in his letter, that it had been previously determined in council not to attempt keeping that post, and that nothing more was originally intended, than the destruction of the works, and the bringing off the artillery and stores. Sir Henry Clinton regained the post, after it had been three days in the possession of the enemy, and placed a strong garrison in it.

A few repetitions of such success, would have rendered the Americans so daring and adventurous, that the advanced posts on the Royal side, must have been kept in a constant state of alarm and danger. But Fortune was not always in the same humour; nor could they often find officers or men, who were capable of acting with such vigour and spirit, as those who had succeeded in the storm of Stoney Point. On 19th. the very night that Brigadier Sterling had taken possession of that post, an enterprize sufficiently daring in the design, and extremely

tremely well conducted in the outset, but which failed wretchedly in the execution, was undertaken against Paulus Hook, which lies almost opposite to the city of New York on the Jersey side. It seems that the strength of the post, had induced such a remissness on the side of the garrison, that the enemy completely surprized the place at three o'clock in the morning, and carried a blockhouse and two redoubts almost without any resistance. In that critical moment of exigency, Major Sutherland, the commander, threw himself hastily, with forty Hessians, into another redoubt, from which they kept so warm and incessant a fire, that the Americans scandalously deserted their new posts, with as much expedition, and as little difficulty, as they had been attained; thus, by a retreat as disgraceful, as the attempt had been apparently bold and well conducted, they abandoned a conquest already evidently in their hands, without having had courage even to spike the artillery, or to set fire to the barracks. The commandant had the fortune to redeem his character, by the gallantry with which he retrieved the consequences of his negligence.

But at the heel of these transactions, intelligence of an alarming nature was received from the eastward, which suddenly called Sir George Collier, with the greater part of his naval force, away from New York. This necessity originated from an expedition undertaken in the summer from Hallifax by Colonel Macleane, with a view of establishing a strong post on the river Penobscot, in the eastern confines of New England, where that colony borders on Nova

Scotia, and amidst those new and weak settlements, which the Massachusetts people have established in that quarter since the last war, and formed into a county under the name of Lincoln. The force with which he arrived in the Penobscot about the middle of June, consisted of a detachment of 450 rank and file of the 74th regiment, and 200 of the 82d; which were convoyed by three sloops of war. Here Colonel Macleane began to construct a fort, in a situation perfectly well chosen for annoying the enemy.

This transaction occasioned an unusual alarm at Boston, and the most vigorous measures were adopted by that government to prevent its completion. Orders were immediately given for an expedition to the Penobscot; and in order to secure armed vessels and transports, as well as sailors, an embargo of forty days was laid on all their shipping. As a further encouragement, the state gave up its share in all prizes that were taken to the captors. A very considerable naval armament, (for so new a state) under the conduct of Commodore Saltonstall, was accordingly fitted out with extraordinary expedition; and a body of troops embarked under the conduct of a General Lovell.

On the other side, the works of the new fort, notwithstanding that the utmost diligence was used in their construction, were yet so far from being finished, as to afford but very imperfect means of defence, against any great superiority of force. Colonel Macleane had, however, the fortune to receive intelligence of the armament preparing at Boston, a few days

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*196] ANNUAL REGISTER, 1779.

before its arrival; upon which, he immediately changed his plan of operation; and instead of proceeding farther in the construction of works, which there could be no time for completing, applied himself with the greatest assiduity, to the putting of the post in the best present state of defence, which its situation, and the shortness of the notice, could admit. In this, as in every thing else, he received the most cordial and efficacious support and assistance from the officers and crews of the three royal frigates in the river, who committed themselves with the greatest cheerfulness to abide the fate of the garrison.

At length, the hostile and dreaded fleet, to the amount of 37 sail, appeared in sight; and soon after, their armed vessels began to cannonade the ships of war, and a battery of four twelve pounders, which had been thrown up on the bank of the river for their protection. It appears, that the works of the fort were commenced about the middle of a small peninsula, the western point of which run pretty deeply into the river; and the whole, so far as we can judge, forming a sort of hook, within which was included a little bay or harbour, wherein the frigates were stationed. The commander had the precaution to intrench the isthmus or neck, which joined the peninsula to the continent, by which he was secured on the back. The weak side of the peninsula lay to the harbour, the entrance to which was, as we have seen, defended by the frigates, and the four gun battery; and the opposite side, seems not to have admitted of a landing. From

this situation, the only feasible means the enemy possessed for approaching the fort, was by effecting a landing on the west point; and even there, the ground was naturally so strong and difficult, as to afford no small room for hope to the commander, that he should be able to protract their operations for some considerable time, which was the great object he had in view, as holding out the prospect of expected relief.

The fire of the enemy was so well returned; that their ships found it necessary to retire; upon which their fleet anchored off the west end of the peninsula. They renewed the attack upon the shipping on the following day; but being again repulsed as before, they seemed, for the present, to give up all hope of succeeding on that side. They made several attempts to land, both on the first night, and after, in which they were also constantly repulsed by the piquets, who were advantageously posted on the point for their reception. To the great surprise, however, and disappointment of the commander and garrison, they made good their landing under a violent cannonade, on the morning of the 28th, and obliged the piquets to retire to the fort.

The attention of the commander, his officers and garrison, were now necessarily confined to the strengthening and defence of their works; operations in which they were equally indefatigable and successful. On the third day after their landing, the 30th. enemy opened a battery at about 750 yards distance; and in a few days after, another somewhat nearer;

HISTORY OF EUROPE. [197*

rer; but although the cannonade from both was very brisk and well supported, the works were carried on in the fort with the same spirit and industry as before. Thus the besieged exhibited the singular phenomenon, of acquiring a daily accession of internal strength and security, under the immediate assaults of the enemy.

In the mean time, the Americans having erected a battery on an island at the entrance of the harbour, the frigates and shipping thought it necessary, upon a consultation between the land and naval force, to retire farther within the bay or creek; and having also landed guns to cover their own battery, the commander was thereby enabled to withdraw the four twelve pounders for the defence of the fort. For about a fortnight the cannonade was supported with great spirit on both sides; at the end of which time, the commander received intelligence from a deserter, that a general storm was fixed upon, it being intended to attack the ships and the fort at the same instant. Upon this information, he immediately threw up a small work, covered with light artillery, at about 150 yards distance, in the front of the fort; thus adding a further security and cover to the body of the place.

Whilst the commanders, garrison, and seamen were in impatient expectation of the attack, and without the smallest apprehension as to the event, an unusual quiet being observed on the enemy's side, very early in the Aug. 14th. morning, it induced a closer inspection, in consequence of which it was soon, to their inexpressible astonishment, discovered,

that the rebels had totally abandoned their camp and works in the night, and had re-embarked both their forces and artillery. Nor were they left long in the dark as to the cause of this mysterious event; for while they were endeavouring to profit in some degree of the confusion which they saw in the enemy's fleet, Sir George Collier, with his Squadron, appeared full to their view in the river.

That commander had sailed from Sandy Hook, in the *Raisonable* man of war, on the 3d of August, and arrived in the *Penobscot*, accompanied by the *Greyhound*, *Blonde*, *Virginia*, *Camilla*, and *Galatea* frigates. The Americans at first seemed to make some shew of intended resistance, by drawing up in a crescent across the river, as if they determined to dispute the passage. But their resolution soon failed, and a most ignominious flight took place. Perhaps they intended no more by that shew of resistance, than to afford time for the transports to make some way up the river, and to gain thereby an opportunity of landing the troops. However that was, a general chase, and unresisted destruction took place; in both of which the three sloops of war, which had been so long cooped up with the garrison, now took an eager part. The fugitives themselves, finding there was no possibility of escape, shortened the business, by setting fire to, and blowing up their own vessels. No destruction could be more complete, for nothing escaped. One frigate of 20 guns, and another of 18, were, however, taken.

Few single towns have ever experienced such a blow to their marine,

*198] ANNUAL REGISTER, 1779.

rine, as Boston now suffered. The Warren, a fine new frigate, of 32 eighteen and twelve pounders, with five others, from 20 to 24 guns, one of 16, and one of 18, were all blown up. Six armed brigs or sloops, from 14 to 16 guns each, with one of 12, met the same fate. The whole number of armed vessels destroyed or taken, including two, which the squadron took on their passage, amounting to nineteen. A force, little, if at all inferior, whether with respect to ships or guns, to the navy royal of England, for several years after the accession of Queen Elizabeth.

Twenty-four sail of transports were likewise destroyed, and some provision vessels taken. As nothing could be more despicable than the conduct of Saltonstall, so no man could be more execrated than he was by his countrymen. It is even

said, that the indignation and rage of the land forces rose so high upon the common disgrace which they were obliged to share in, that they could not refrain from coming to blows with the seamen, in the course of their subsequent return by land. It must, however, be acknowledged, that the Americans were not able to cope with the royal squadron, in an open and regular sea fight, and that the superior force and weight of metal of the Reasonable, afforded sufficient cause of terror to frigates. But the passes, windings, and shallows of the river, might have served much to lessen that superiority; and at any rate, excepting the effusion of blood, the most desperate resistance could not have been attended with more fatal consequences than their ignominious flight.

C H A P. X.

Admiral Byron takes the command in the West Indies. Endeavours to draw M. D'Estaing to an engagement without effect. Mortality at St. Lucia. Mr. Byron conveys the homeward-bound trade. Loss of the island of St. Vincent's, during the absence of the fleet. French fleet reinforced by the arrival of M. de la Motte; proceeds to the reduction of the Granades. Lands a body of forces, which invest the Hospital Hill in the island of Granada. Attack the works by night, and carry them by storm. Lord Macartney proposes to capitulate; but the terms offered by D'Estaing being deemed inadmissible, surrenders the fort and island at discretion. Admiral Byron returns to St. Lucia; proceeds with the fleet and army for the recovery of St. Vincent's. Receives intelligence at sea of the attack upon Granada, and being ignorant of the great superiority of the French fleet, changes his course in order to succour that island. Different views and conduct of the hostile commanders. Engagement. Extraordinary acts of gallantry. Vice-admiral Barrington wounded. French persevere in their resolution of not coming to a close action. Views of the British commanders totally changed, upon discovering that the island was already lost, as they had no force capable of attempting its recovery. Transports and disabled ships sent off to St. Christopher's in the evening. Followed next day by the fleet; the enemy having returned to Granada in the night. Prodigious loss of men on the French side accounted for. Claim a victory; and upon what ground. M. D'Estaing directs his operations to the northward. First object, the reduction of Georgia.—Second, an attack upon New York, in conjunction with General Washington. Arrives upon the coast of Carolina; takes the Experiment man of war, and some frigates. Anchors off Tybee. Lands his troops, and invests the town of Savannah. Summons General Prevost. Is joined by General Lincoln, and Count Polaski. Attacks the British lines, and is repulsed with great slaughter. French retire to their ships, and totally abandon the coasts of America.

THE arrival of Admiral Byron in the West Indies, just after the double repulse which D'Estaing had met with at Santa Lucia, and the surrender of that island to Admiral Barrington, threw the command of the fleet into the hands of the former of these gentlemen, at the same time that the junction of the squadrons enabled them to assume a superiority over the French in that quar-

ter. They accordingly omitted nothing which could draw M. D'Estaing to an engagement; and repeatedly insulted him in the harbour of Port Royal, with a view of provoking him to quit the security afforded by that fastness. Their endeavours were, however, fruitless; and that commander shewed a degree of phlegm, and a government of his temper, which could scarcely have been expected

from his general character, considering that there was little, if any, disparity of force. But the British naval fame was still strong in memory; and the event of the attempt upon Admiral Barrington, served to impress it with yet greater force. The expectation he was in of daily reinforcement, however, justified his conduct.

In the mean time, the noxious climate and air of the island of St. Lucia spread and continued a dreadful mortality among the British troops; and every day served to render the loss of Dominique the more sensibly felt. This calamity was the more grievous, as it would be exceedingly difficult to supply the place of the brave corps who served in that island; who, with respect to discipline, spirit, and actual service, could scarcely have been matched by any equal number of troops in the universe. But it was not the first instance, in which the rigours and noxious vapours of a southern climate, had finished the career of those unconquerable troops, who had been formed in the wars of Northern America.

At length, reinforcements arrived on both sides; Admiral Rowley having joined the British squadron, with several ships of war from Europe; about the same time, that M. de Grasse, notwithstanding the watchfulness of the opposite commanders, arrived safe, with a large convoy, and a considerable force, at Martinique. Although these reinforcements produced no great difference in the comparative strength of the hostile fleets, which were still pretty equally balanced in that respect, yet nothing could induce D'Estaing to hazard a general engagement.

Indeed he adhered so pertinaciously to this conduct, that when upon different occasions of separation in the British squadrons, or other circumstances which seemed to offer advantage, he sometimes ventured to sail out of Port Royal; yet, he more than once, under circumstances of apparent disgrace, retreated again into that harbour, from the eager pursuit and insult of an enemy, who was not at all superior to him either in force or in number.

An occasion, however, at length offered, which fully demonstrated the propriety and judgment of his conduct, and amply rewarded the perseverance with which he adhered to his system. The trade from the West India Islands to England, having assembled at St. Christopher's towards the middle of June, the very great importance and value of that numerous fleet of merchantmen, made Admiral Byron think it necessary to convoy them with his whole squadron, for some considerable part of the way. Indeed, no separation of it could have been ventured upon with any degree of safety. For we had no port in those islands of sufficient strength, to have afforded protection to the remaining division of the fleet, against the great superiority of land, as well as of naval force, which D'Estaing had in his hands. And on the other hand, the French commander would have had it in option to pursue the convoy, and if he even failed of overtaking it, he could scarcely miss of intercepting the squadron on its return, which had been sent for its protection. The measure of affording a strong protection to the trade, was the more indispensable, as it

was

was known, that M. de la Motte Piquet was then on his way from France with a strong reinforcement to D'Estaing; and no common or ordinary convoy would have been sufficient for the protection of the trade, in case of its falling in with his squadron.

No wisdom in the design, nor judgment in the execution, can at all times prevent measures from proving unfortunate; as the present did in a high degree. The first consequence of the departure of the fleet was the loss of the valuable island of St. Vincent's; a loss which would have been still more thought of, if it had not been speedily followed by a greater. The circumstances attending the loss of that island were rather extraordinary, and have not yet been explained in any manner which could afford satisfaction to the public. A handful of French from Martinique, under the command only of a naval lieutenant, estimated by one account at 300, and by the governor's own at 450 men, not above half of which were regulars, ventured to land upon a hostile island, garrisoned by seven companies of regular troops, under the conduct of a lieutenant-colonel, the garrison also exceeding the invaders in number, and the island inhabited likewise by a people, who had always shewn the utmost fierceness and eagerness for war, when it was accompanied with the hope of plundering the unfortunate Caribbs of their lands; and yet this island, so circumstanced as to garrison and inhabitants, was delivered up to the enemy, without the firing of a single shot on either side.

The capitulation was signed only

by Governor Morris, and the French lieutenant; nor can we help thinking it somewhat singular, that the name of no other officer, civil or military, on the part of the island, should appear to it. The conditions were sufficiently favourable to the inhabitants, being in general drawn upon the model of those at Dominique. The natural effect of that oppression and inhumanity, which the inordinate covetousness of the planters, had induced them some years ago to exercise upon the Caribbs, and through which they led government into that disgraceful war we have seen for their extermination, was now apparent; that people having immediately joined the French upon their landing, and it may well be supposed, had no small share in inducing them to undertake the expedition. The terror with which the inhabitants now regarded that people, is also obvious, from the fervency with which they claim the French protection against them in the articles of capitulation. It is not impossible but that terror contributed to the otherwise unaccountable surrender of the island.

D'Estaing had the fortune of being joined by the reinforcement under M. de la Motte, with a supply of troops, and of what was at least equally necessary, of naval and military stores and provision, during the absence of the British fleet. His great superiority by land and sea, now necessarily called him to action, and the island of Granada was the immediate object of his enterprize. He arrived off that island with a July 2d. fleet of five or six-and-twenty ships of the line, with ten or twelve

twelve frigates, and, according to their own report, near 10,000 land forces, including the marines, on board. The whole defence of the island lay in about 150 soldiers and artillery men, and three or four hundred armed inhabitants; and its strength consisted in a fortified or entrenched hill, which commanded the fort, harbour, and capital town of St. George.

The French landed between two and three thousand regular forces, under the conduct of Count Dillon, on that evening; who the next day invested the hill, and made the necessary preparations for carrying it by storm on the following night. The governor, Lord Macartney, made every possible preparation for defence; but it seems probable, that he unfortunately placed a greater reliance on the natural and artificial strength of the post, than an experienced military commander would have done. The French say it was deemed to afford so perfect a security, that it was rendered a deposit for plate, jewels, and other most valuable moveables. However that was, or whatever the strength of the post, the defence was extraordinary, considering the nature and amount of the force by which it was defended; and although D'Estaing headed a column of the French troops in person, they were repulsed in the first onset; but the superiority of number was at length decisive, and they carried the lines after a hard conflict, which lasted about an hour and a half. The French are said to have had 300 men killed or wounded in this assault; but they do not acknowledge any such number in their own public account. Their loss was, however, consider-

able, and chiefly arose from a well-directed fire from some vessels in the road, which galled them exceedingly in their approach.

The cannon which they had taken on the top of the hill, being turned at break of day against the fort, which then lay at their discretion, the governor was under a necessity of proposing, what he had before rejected, a capitulation. D'Estaing treated the flag with great haughtiness; would grant but an hour and a half for framing the proposals; and when they were presented, rejected them in the gross, and in the most peremptory manner. He, however, framed some terms himself, with which they were immediately to comply, without the smallest deviation on their side, or relaxation on his. But these were of so extraordinary a nature, that the governor and principal inhabitants thought it better to trust to the law and customs of nations, to the justice of one court, and the interposition of the other, by surrendering at discretion, than to bind themselves to such unexampled conditions.

Nothing could be more unfavourable to D'Estaing's character, than the accounts of his conduct in his new acquisition, which were spread about at that time. His continuance in the island of Granada has been represented as a constant scene of severity and oppression. It was said that his soldiers were indulged in the most unbridled licence; and that if it had not been for the humanity and tenderness shewn by the officers and private men of Dillon's Irish regiment to the inhabitants, their condition would have been too deplorable to be endured or described.

In

HISTORY OF EUROPE. [203*

In the mean time, Admiral Byron had returned to St. Lucia, where he arrived on the first of the month; his fleet being now weakened by the convoy which he had sent with the trade to England. He there received the first intelligence of the loss of St. Vincent's; upon which intelligence he concluded with General Grant, that they should proceed with the land and naval force for the recovery of that island. In their passage for that island they received the unwelcome information, that D'Estaing had attacked Granada; their advices were very imperfect; did not state the French fleet at any thing near its real force, and represented Lord Macartney to be in a condition which would enable him to hold out for some days. Nor had they yet received any intelligence of de la Motte's junction with D'Estaing. They accordingly changed their course and intention, and proceeded for the relief of the Granades.

In this state of ignorance, with respect to the strength of the enemy, and the circumstances of the island, the British commanders arrived within sight of the French fleet, at the break of day, on the 6th of July. Their force consisted in 21 ships of the line, and a single frigate; and they were accompanied, and as things fell out exceedingly incumbered, by a somewhat greater number of transports which conveyed the troops. The enemy had been at anchor off the harbour of St. George's; but having received previous information of the approach of the British fleet, they were then mostly getting under way, and those which had not already hoisted their anchors, im-

mediately slipped their cables, and kept stretching out to sea. As the objects of the hostile commanders were totally different, it is necessary to explain them, for the better comprehending the nature of the ensuing engagement. The British admirals wanted to bring the enemy to the closest action that was possible; not only as a mode of fighting which at all times afforded the greatest advantage to their side; but as affording the means, besides the relief of the island, (which they made no doubt of) of obtaining that decisive superiority in those seas which they wished to establish. On the other hand, M. D'Estaing sought for no other profit or advantage than the preservation of his new acquisition; that was to him a sufficient victory; he was in no disposition to seek honour at the hazard of that, in the doubtful issue of a bloody and desperate conflict with a British fleet, if it could possibly be avoided; but he would, notwithstanding, risque all things, sooner than give up what he had got.

Such motives operating on both sides, and the French ships being cleaner, and consequently sailing much better than the English, which threw the choice with respect to the mode of fight in a great degree into their hands, the action was necessarily partial, and could not, without some change of circumstances, have become general. For the few British ships which could first reach (or in sea language fetch) the enemy, were exposed to the encounter of a prodigious superiority of force, and consequently sustained great damage, before they could be supported

ported even by their nearest fellows; and these were again, in their turn, to experience the same disadvantage; while several ships of the rear division, were never able to come at all into action; and a still greater number of the fleet in general, could not obtain that share in it which they wished.

The first signal made by the admiral, on seeing the disposition, and discovering the intention of the enemy, was that for a general chase; and the second, (he being yet ignorant, or rather misinformed, as to their strength) was, for the ships to engage, and to form as they could get up; and even when the superiority of the enemy was discovered, the signal for chase was still continued, with the addition of that for a close engagement. About half past seven the action was commenced, by Admiral Barrington, in the Prince of Wales, with the Captains Sawyer and Gardner, in the Boyne and Sultan, having closed with the van of the enemy. That distinguished commander, with his brave colleagues, made and supported the attack with a spirit and resolution, which would have stamped the highest honour, where there had been none acknowledged before. But being obliged to endure the whole weight of fire from that division of the enemy, for a considerable space of time before they could be supported, they suffered accordingly; and besides the damage to the ships, and loss of men, the vice-admiral was himself wounded.

The superiority which the French ships possessed in point of sailing, still enabled them to elude every effort which was made by the Bri-

tish commanders, to bring on a close and a decisive engagement. The former, indeed, sometimes happened in particular instances; but it was only, when the evolutions on both sides, and the eagerness on one, threw a few of the British ships into a situation, which obliged them to endure a conflict, with a much greater number of the enemy. Thus, the Grafton, Collingwood; the Cornwall, Edwards; and the Lion, Cornwallis, sustained the whole fire of the French fleet, as it passed them successively on a tack; and Captain Fanshawe, of the Monmouth, having gallantly attempted, singly, to arrest the progress of the enemy's van, hoping thereby to bring on a general action; it will not be wondered at, that as his design failed, his ship should be little better than a wreck. The Suffolk, Rear-Admiral Rowley, (who had been left originally for the protection of the transports) with the Fame, Butchart, had likewise suffered considerably in similar situations.

The peculiar circumstances and situations of the fleets, including perhaps their distance, together with the opposite views of the commanders, brought on a cessation of action about twelve o'clock; and although it was renewed at two, and at other times, in some degree, during the evening, yet nothing essential was done on either side. The object of the British commanders was now totally changed, from what it had been at the commencement of the engagement. Some of the ships had pushed their way boldly during the heat of the action, to the very entrance of the harbour of St. George's,

HISTORY OF EUROPE. [205*

George's, thinking thereby to administer courage at least, if not succour, to their supposed friends in the garrison; but, to their utmost astonishment, they not only beheld French colours on the fort, but were fired at by the batteries. Their main object, in the relief of the island, was therefore no more. The island was already lost! and their total inferiority of force by sea and land, rendered them utterly incapable of attempting its recovery. They had been equally disappointed with respect to the force of the French fleet, as to the situation of the island. The care of the transports, had been a constant clog upon them during the action; and their protection now, along with that of the disabled ships, were the great and only objects of consideration.

Three of the disabled ships were a great way a-stern; and one of them, the *Lion*, had suffered so extremely, that being incapable of attempting to rejoin the fleet, she was obliged to bear away singly, in the best manner she could, before the wind; and had the good fortune to arrive some time after in Jamaica, although in point of condition little better than a wreck. It seemed in the power of the French to have cut off the two other disabled ships; but they would not hazard the attempt, as it would have been the means of bringing on a close and decisive action. Indeed nothing could more clearly shew D'Estaing's inflexible determination on that point, which can only account for his conduct, than, that with such a superiority in his line of battle, and such a number of large and stout frigates, he neither attempted to cut off the

transports, or the two disabled ships; nor would even venture to detach a single ship in pursuit of the *Lion*.

In these circumstances, the British admiral sent instructions in the evening to the *Monmouth*, (which was in much about the same condition with the *Lion*), as he likewise did to the transports, to make the best of their way to *Antigua* or *St. Christopher's*. His line being now reduced to nineteen ships, of which several were greatly disabled, was drawn up at the close of the evening, at about three miles distance from the enemy; in full expectation of being attacked in the morning, as he did not think it possible, that with so great a superiority, the French commander would suffer the transports to be carried off without pursuit or molestation. M. D'Estaing evidently held a different opinion, and returned with his fleet to *Granada* during the night.

The Generals *Grant* and *Meadows*, were spectators of an action in which they could not partake, and felt the highest military rapture, at the many extraordinary exertions of gallantry which they saw exhibited by their naval friends; and being ignorant of the superiority with which they were contending, had raised their expectations to the full confidence of becoming sharers in a triumph and consequences which could not take place. It was odd enough, that the two wrecks, the *Monmouth* and the *Lion*, should fall in with each other at sea; and that being mutually disfigured, Capt. *Cornwallis*, at least, mistook the opposite for an enemy, and was accordingly bringing up his torn vessel with

with the greatest eagerness, to the encounter of the other, which was not in quite so bad condition.

The loss of men in the British fleet, amounted to 183 killed, and 346 wounded, of whom there were four officers in each list. This was sufficiently moderate; but the other circumstances of the action were exceedingly grievous; for the great damage sustained by the ships, particularly in their masts and rigging, (and for which the distant fire of the enemy was so peculiarly calculated) was a misfortune difficultly remedied in that quarter, and which must have been any where attended with a considerable loss of time. This afforded so prodigious a superiority of force to the French, that while that continued, it was impossible any longer to dispute the empire of the sea with them in the West Indies. Such a state of things, could not but spread a great and general panic through all the British Islands; and although D'Estaing did not follow up his new conquest by any farther attempts; yet upon learning the weak state of his enemy, he did not neglect to return the former visits he had received at Martinico, by parading for a day with his whole force in sight of St. Christopher's, as if it were to challenge him to action.

All accounts concur in describing the French loss of men in this action to be prodigious. The lowest estimate we have seen, states it at 2700, of which the slain amount to 1200; but other accounts go higher considerably than three thousand. So great a number of land forces, being crowded on board ships, which are always rated at a high complement with

respect to their crews, will in some degree account for so great a loss; to which may be added, that this engagement consisted in a great measure on one side, of a succession of fierce and desperate assaults, which made a dreadful impression in those particular points to which they were directed. The French account published by authority, gives no farther specification of the loss, than what relates to the officers, which could not be concealed. The number of officers, which we find by these lists, to have been killed or wounded, was considerable, both in the naval and the land departments. Of the former, three commanders of ships were killed; and it seems singular, that the captain and five lieutenants fell in one ship.

The French claimed a victory, on the ground, that they gained their object, in the preservation of their acquisition, while the English lost theirs, in being obliged to relinquish the Island. The French King's letter to the Archbishop of Paris, for a thanksgiving, on this occasion, has been published.

The alarm excited in the British West India Islands by the superiority of the enemy was not long lived; for D'Estaing's operations were destined to another quarter; nor could he probably have achieved any thing farther there if it had been otherwise. The footing which the British forces had gained in Georgia and South Carolina, was highly distressing in its present effect, and still more alarming with respect to its probable consequences, to the Americans. The scene of action was so remote from the center of force, and the seat of council, that the war there was

HISTORY OF EUROPE. [207]

was in a great degree beyond their reach; and the British marine force, afforded such decisive advantages to the operations of their troops, in countries every where bordered by the sea, and chequered by inland navigations, as could scarcely be counteracted with effect, by any moderate superiority at land.

America had as yet received no very essential service, with respect to the direct operations of the war, from any co-operation of the French arms. The attempt on Rhode Island, in conjunction with D'Estaing, was productive of expence, danger, and loss, without the smallest benefit. Nor did the conduct of that commander afford much more of satisfaction, than the expedition itself did of advantage. On the other hand, the mischief and danger to the southern provinces, had taken place during the height of the connection; and was perhaps scarcely compensated for by the recovery of Philadelphia; even throwing that event into the scale, as an indirect consequence of the French alliance; and supposing that the British forces would not otherwise have abandoned that capital. It could not besides but be very galling to the Americans, that the protection, equipment, and supply, afforded to the French fleet at Boston, should produce no better effect, than that immediate desertion of their coasts, which exposed them to the southern invasion. Upon the whole, their new alliance had not as yet produced those high advantages, which were undoubtedly held out in the warmth of speculation; nor even that proportion of them, which might have been reasonably

expected, as well from a consideration of the motives which led to the connection, as of the general state of affairs, and the means and power of the ally.

Under some of these considerations, or the impression of all, the French court determined now to afford some essential aid to their new allies, by directing D'Estaing's whole force to their assistance; or probably it was a part of the original plan of the campaign, that as soon as he had acquired that effective superiority in the West Indies, which they were resolved to endow him with, he should proceed to the execution of the latter measure. That commander, accordingly, having first waited to see the French homeward bound West India trade clear of danger, proceeded, with about 22 ships of the line, and something less than half the number of large and heavy-metal frigates, in all the pride of a conqueror, to sweep the coasts of North America. His first object, which was expected to be accomplished with little difficulty, was the destruction of the small force under General Prevost, and consequently freeing the southern colonies from all their present alarm and danger. The second, was of greater importance, and likely to be attended with much greater difficulty and danger; and that was, a design to attack, in conjunction with General Washington, the British force at New York, by sea and land at the same time; and thus, by the reduction of that island and its dependencies, along with the consequent ruin of the opposite fleet and army, to bring the war on that continent to a final conclusion.

Through the sudden and unexpected appearance of the French fleet on the coasts of South Carolina and Georgia, the Experiment man of war, of fifty guns, and three royal frigates, being totally unapprehensive of danger, and upon separate services, had the misfortune of falling in with them, and thereby adding to their triumph and number. The first, under the command of Sir James Wallace, was on her passage from New York to the Savannah with supplies: and although she had been already dismasted in a violent storm, she made a gallant and desperate defence against an irresistible superiority of force, in the view of the hostile fleet.

General Prevost was at this time at the town of Savannah; but the better, if not the greater part of his force, was still on the island of Port Royal, in South Carolina, where we have already seen it took post after the retreat from Charles Town. As the enemy were masters by sea, that corps had no other means of joining the main body, but by the numerous inland navigations which intersect that country. The intercepting of an express by the Americans, who conveyed orders to Colonel Maitland from the general, for speedily joining him with the whole effective body under his command, delayed the measure so long, that the enemy had time to seize the principal communications before it could take effect. This rendered the junction of that corps with the garrison, upon which only any hope of defending the Savannah could be founded, a matter of great doubt, difficulty, and danger. The address of Co-

lonel Maitland, the zeal of his troops, with the distinguished services of Lieutenant Goldesbrough of the navy, were happily found superior to all these obstacles.

As D'Eſtaing was obliged to communicate with the government at Charles Town, relative to the movements of General Lincoln, who was to act in concert with him in the intended reduction of Georgia, this probably induced some delay with respect to his own operations; so that although he arrived on the coast about the first of September, it was more than a week after, before the whole fleet, amounting to above 40 sail, anchored off the Sept. 9th. bar of Tybee, at the mouth of the river Savannah. For the three or four succeeding days, the French were taken up in passing their troops, in small American vessels, through the Oſſabaw inlet, and landing them at Beaulieu, about 13 miles from the town of Savannah; at the same time that their frigates were occupied in taking possession of the lower river, and of the different inlets; approaching as near to the town and lines, as the circumstances of water or of defence would admit.

On the 15th the French, with Polaski's American light horse, appeared so near the British lines, as to skirmish with the picquets; and as the force under General Prevost, did not admit of his having any other object in view than the mere defence of the town, his posts were contracted within the cover of the artillery on the works. On the following day, M. D'Eſtaing sent in a haughty summons to the general, to surrender the place to the arms of his most Christian Majesty.

Majesty. He vaunted in high language, that he commanded the same troops, a detachment of whom had recently taken the Hospital Hill in Granada by storm; notwithstanding that its natural and artificial strength was so great, that it was deemed impregnable by its defenders. He held out the circumstances of that transaction as a lesson of caution, to shew the futility, and the very great danger, with the force which the general had in his hands, and such works as he had to defend, if he ventured to resist the ardour of those conquering troops:—Lord Macartney had the good fortune to escape the first transports of their rage—He could not himself restrain their pillage. General Prevost was therefore warned, in rather commanding terms, that he should be personally responsible, for all the unhappy or fatal consequences, which might be the result of his obstinacy, in venturing a fruitless resistance against a force, with which he was totally incapable of contending.

Colonel Maitland's division had not yet joined the garrison; nor was there any intelligence of their situation, nor knowledge of their ability to perform the junction. In these circumstances, although General Prevost and his officers were determined, even with the force in their hands, to defend the place to the utmost extremity, yet it was thought prudent and necessary to gain all the time that was possible; and this the more especially, as the lines were still in a very imperfect state of defence, and there had not been time to convey the artillery from the shipping, for the protection, such as they were,

VOL. XXII.

of the works. The commander had the address to carry this point. Messages passed backwards and forwards; and at length, a truce for 24 hours was agreed upon, to afford time for deliberation.

During this interval, the fortunate arrival of Colonel Maitland, with the troops from Port Royal, presented a new face of affairs, and furnished a fresh stock of strength and spirits to the defence. An answer was accordingly returned, that they were unanimously determined to defend themselves to the last man. Nothing could prevent the sailors (who had been all drawn from the ships to construct and man the batteries) from expressing their usual ardour, by giving three loud cheers, upon firing the signal gun for the commencement of hostilities.

On the day after delivering the summons, Count D'Estaing was joined by General Lincoln, as he had been before by Polaski. The allies took separate but adjoining camps; and each began immediately to carry on their approaches as in a regular siege. Their joint or separate force cannot be very exactly ascertained. The French are said to have landed, from first to last, about 4800 regular troops, besides some hundreds of mulattoes and free negroes, whom they had brought from the West Indies. Lincoln's force was continually increasing; it was supposed not much to exceed 1500 men, at the time of his junction with D'Estaing; but was afterwards estimated from 3000, to 3500 men.

No account has been given of the number of the garrison; but it would seem, from the exceeding weakness of the battalions, and an

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examination of various relative circumstances, that taking in all descriptions of men, provincial troops, loyalists, under whatever denomination, and sailors, that the whole could not exceed 3000 men.

The spirit, vigour of exertion, and perseverance in toil, which were exhibited in carrying on the defensive works, at least equalled, if not exceeded, any thing of the sort we have read or heard of. From the general to the private sentinel, from the commanders of the royal frigates to the common seamen, every man without distinction was employed in the hardest labour, and cheerfully underwent his share of the toil. At the time that the general received the French summons, the lines were not only weak and imperfect, but were not protected by above eight or ten pieces of cannon; and at the conclusion of the siege or blockade, the works (by the aid of the ship guns, and the unceasing exertion used in landing and bringing them forward) were covered with a numerous artillery, amounting to near 100 pieces. Nor was the labour or exertion greater than the judgment used in their direction. In this respect, Captain Moncrieffe, the engineer, equally excited the admiration of friends and of enemies. The British forces indeed owed much to his skill and ability; and were accordingly unanimous in their acknowledgments of his services; while the French officers declared, that his works and batteries sprung up every night upon them like champignons. He gained great honour, and merited more substantial rewards,

The enemy were by no means idle in their endeavours to interrupt the works; but their efforts were ineffectual. In the mean time, they spared no industry in carrying on their own; and in about a week after the summons, had pushed a sap to 24th. within 300 yards of the abbatis, to the left of the British center. Although the state of General Prevost's force, rendered him exceedingly sparing of his men, yet in the few conflicts which took place, the enemy were constantly and considerably losers. About midnight, between the 3d and the 4th of October, the enemy began a heavy bombardment; and at day-light, they opened a vehement cannonade, with 37 pieces of heavy artillery, and nine mortars, from their land batteries, and 16 cannon from the water. This cannonade was continued, with more or less activity, for five days. Its effect fell mostly upon the town; where, besides the destruction of houses; women, children and negroes were the only sufferers. All others were in the works; and these continually acquired additional strength, instead of sustaining any essential damage, during the violence of this cannonade.

In this distress of the women and children, which was still increased by the throwing in of carcasses, which set some houses on fire, the general wrote a letter to D'Estaing, requiring permission, that they should be sent aboard ships down the river, and placed under the protection of a French man of war, in which state they were to continue until the business should be finally decided. At the same

HISTORY OF EUROPE. [211]

same time acquainting him, that his own wife and family, should be among the first to profit of the indulgence. After a delay of three hours, during which the time was filled up by the discharge of cannon and shells, the request was not only refused, but the refusal was conveyed in unusual and insulting language, in a letter signed both by Lincoln and D'Estaing. The attempts made afterwards by the French officers, to charge this harsh and cruel refusal, as well as the mode of it, to the brutality of the American general, are by no means sufficient to exculpate D'Estaing, from his full share in the transaction, and in the disgrace belonging to it; however it may serve to shew their consciousness that the act was indefensible.

Whatever D'Estaing's merits may be as a naval commander, he seems to have committed two capital errors in this adventure by land. The first was, his not immediately attacking the British lines in their original weakness, and before General Prevost was joined by Colonel Maitland. The reasons that may be used against this measure are obvious, and may be answered with little difficulty.—The second was, that as he did lose so much time in carrying on regular approaches against field works, he should have still continued to proceed by sap, until he had so far obviated the defences of the enemy, that his troops might engage them upon something approaching to equal terms in the final assault. If to this it be opposed, that his fleet of heavy capital ships was exposed to great risque and danger, by lying so long without shelter, upon an inhospitable coast, which could

not afford any, and in a most critical season of the year; it may well be answered, that this very circumstance afforded the strongest motive for immediately attacking his enemy; and consequently could afford no reasonable cause for delaying that attack, whilst the defensive strength on the other side was daily increasing.

Whatever motives operated upon the French commander in the first instance, it seems as if his temper or patience failed him, in waiting the slow result of sap in the second. It is possible, that his approaches had already cost him more time than he expected; that the resistance was also much greater; that, as his batteries produced very little effect upon the British works, he was disappointed in that respect likewise; and that he finally placed too great a confidence in the superiority of his force, and the goodness of his troops.

However that was, after a very heavy cannonade and bombardment for several hours, the allies attacked the British lines, Oct. 9th. with their utmost force, and with great fury, a little before day-light. The firing began on the left of the British lines, but soon after became general. As it was still too dark to perceive the movements of the enemy, and uncertain where their principal attacks would take place, no change was made in the disposition of the British troops; but each command waited coolly in its post, prepared for, and expecting, whatever could happen.

The nature of the ground on both flanks of the lines, was so favourable to the approaches of the enemy, that the defect could not be remedied by all the skill

and endeavours of the engineer. Thus an attack was to be expected, towards either or both of the points. A swampy hollow way on the right, might bring the enemy under cover to within a very small distance of some of the principal works; on the left, the approach was not so well covered; but the ground being firm and clear, seemed better calculated for the operation of regular troops, or at least more inviting to them, than that on the other side. The French being likewise encamped on that side, it was expected that they would direct their whole force to that point; and that the attack on the other, if really undertaken, would be left to the Americans.

The grand attack was, however, directed to the right, whither, D'Estaing in person led the flower of both armies, and was accompanied by all the principal officers of each. They advanced in three columns, under cover of the hollow we have mentioned; but it seems, that through the darkness, they took a greater circuit, and got deeper in the bog, than they needed or intended to have done; a circumstance, which besides a loss of critical time, could scarcely fail of producing some disarrangement or disorder. The attack was, however, made with great spirit, and supported with an extraordinary degree of obstinate perseverance. A redoubt on the Ebenezer road, was the scene of much action, loss and gallantry. It was obstinately defended by Captain Taws; the enemy planted two stand of colours on it; the parapet was covered with their dead; at length the brave captain fell, gallantly fighting in his redoubt;

his sword being plunged, at the instant of death, in the body of the third enemy whom he had slain with his own hand. His place was instantly and equally supplied by Captain Wickham; who, with better fortune, displayed acts of the most signal valour.

While the conflict was still dubious and bloody, particularly at that redoubt, the skill and design which operated in the construction of the new works, were displayed with great advantage. Three batteries which were occupied by seamen, took the enemy in almost every direction; and made such havoc in their ranks, as caused some little disorder, or at least occasioned a pause in their violence. At that critical moment of decision, a body of grenadiers and marines advanced suddenly from the lines, and charged the enemy with such rapidity and fury, throwing themselves headlong into the ditches and works amongst them, that in an instant, the redoubt, and a battery to its right, were totally cleared of them. The victors did not pursue their advantage with less vigour than they had gained it. The enemy were broken, routed, and driven in the greatest disorder and confusion, through the abbatis into the swamp. The whole was performed with such rapidity, that three companies of the most active troops in the army, who were ordered to sustain the grenadiers, could not, with all their celerity, come in for any share of the honour.

Although it was then day, yet the fog and the smoke together caused so great a darkness, that the general could form no accurate judgment,

HISTORY OF EUROPE. [203]

judgment, either as to the condition or the dispositions of the enemy; and as a constant firing was still heard in different parts of the lines, these circumstances, all together, prevented his venturing to pursue the enemy, in their flight and confusion across the morafs. They were, however, every where repulsed; but as that was done elsewhere with less difficulty, so their loss was proportionally smaller. As the day cleared, the works and ditches near the Ebenezar redoubt, presented such a spectacle of killed and wounded, as some of the officers and soldiers said, had only been equalled at Bunker's hill. At ten o'clock, the enemy requested a truce, with leave to bury the dead, and carry off the wounded; the first was granted; but a restriction laid in point of distance as to the rest.

The loss of the enemy, in killed and wounded, was, by the lowest calculations, estimated from a thousand to twelve hundred men. The French acknowledged 44 officers, and about 700 private men, on their side only. The amount of the American loss was not acknowledged. It was said, that nothing but mutual reproach, and the most violent animosity, now took place between the new allies. Each accused the other with bad conduct or bad performance, and being the author of his own particular loss or disgrace. It was even said, that the troops on both sides were with difficulty restrained from proceeding to extremities; and that the French and American commanders and principal officers, were as little satisfied with each other as the private men. It was likewise supposed, that a strong previous jea-

lousy had subsisted on the American side, from D'Eſtaing's summoning the place to surrender to the arms of the French King only.

However these things might be, nothing was thought of, after by either party, but the means of getting away, with the greatest possible speed and safety. But it was necessary to mark this purpose, by still supporting the appearance of a blockade. The removal of the French heavy artillery, baggage, sick, and wounded, was particularly a work of time, labour, and difficulty. Great civilities now passed between the French camp and the British lines; and numberless apologies were offered, for the refusal with respect to the women and children. They were now pressed to place themselves in the situation which they had then requested; and a particular ship of war and commander were named, for the reception of Mrs. Prevost, her children, and company. The answer was blunt and soldierly; that what had been once refused, and that in terms of insult, could not in any circumstance be deemed worth the acceptance.

The celebrated Polish Count Potulski, whose name has been so often mentioned in the American war, was mortally wounded in this action. M. D'Eſtaing himself was sorely wounded in two places. Major-General de Fontange, with some other French officers of distinction, were likewise wounded. The loss on the British side was inconceivably small. Too much could not be said in praise of every order of men who composed the defence of the Savannah. The loyalists of both the Carolinas were distinguished; nor should it
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•214] ANNUAL REGISTER, 1779.

be forgotten, that the Captains and sailors of the transports took their station in the batteries, with the same alacrity as their brethren in the royal service.

In something more than a week, upon the clearing up Oct. 18th. of a fog, it was discovered, that the French and Americans had abandoned their camps in the preceding night. Some pursuit was made, but it was soon found, that they had broken down all the bridges behind them, and pursued their respective routs with the greatest celerity. It was computed, that the French did

not lose less in every way, than 1500 men on this adventure. Their commander found his fleet, as much out of heart and condition, and nearly as sickly as his army. He accordingly totally abandoned the coast of America, about the 1st of November, and proceeded with the greater part of his fleet directly to France; the rest having returned to the West-Indies. Such was the beginning and ending of M. D'Estaing's American campaign; and such the issue, of the great designs he had formed, and the mighty hopes he had conceived.

C H R O

CHRONICLE.



C H R O N I C L E.

J A N U A R Y.

1st. **T**HE new year was ushered in with the most violent gale of wind that has been experienced since the remarkable one that happened in the beginning of the present century. It is impossible for us to spare room to enumerate one-third of the mischiefs and accidents it produced: suffice it to say, that the danger was universal; and that every public and private building in and near the metropolis, as well as the shipping in the river, sustained some damage from its tempestuous violence. We shall add the following accident, as a proof of the truth of our assertion.

A stack of chimnies was blown down at the Queen's palace, which broke through the roof into the apartments of three of the young Princes. Their Majesties got up and went into all the apartments, to see if any of the children or family were hurt, but no disaster had happened to them; though it was next to a miracle, that the three Princes above-mentioned were not killed in their beds.

Advices from Oxford, Cambridge, Norwich, and almost every city and town of the kingdom

VOL. XXII.

also mention great damages to have been sustained in public and private property, from the same cause.

By the above gale of wind, great damage was done to the shipping all around the island. The York East-Indiaman, just arrived from Bengal, was run ashore in Margate Roads; and from various accounts received from the sea-ports, it is computed that upwards of 300 vessels have been lost, in which a considerable number of mariners have perished. What is very remarkable and providential, the southern channel felt none of its fury, so that the fleet of merchantmen and convoy, which had just sailed from St. Helen's, proceeded on their voyage without knowing that such a storm had happened.

Extract of a Letter from an Officer on board the Russel Man of War, dated Spithead, Jan. 1. containing an Account of the running down of the London East-Indiaman.

" We sailed from hence on Saturday last the 26th ult. with one of the finest fleets ever seen; but, alas! we met with our usual ill-luck. On Monday last, off Berry-Head, it blowing a fresh breeze, and under close-reefed top-sails,

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the wind at south-west, being near the London East-Indiaman, and finding we could not weather her, she on one tack and we on the other, we bore away, during which, she clapped her helm a-weather, and we ran right on board, which stove in her bow; in half an hour she sunk, and the greater part of her crew perished; out of 160 only 50 were saved! it was a most dismal scene to behold the men standing on the gunnel as she went down. What rendered the scene still more melancholy, a man of war's boat with several hands, who very humanely, at the risk of their own lives, had picked up ten or eleven of the London's crew, and were endeavouring to save more, got directly over the place where she went down, the suction of which was so great, that it drew the boat under, and they all perished. More of the crew would have been saved, but that they were kept at the pumps too long, in order, if possible, to save the ship. Our head and cut-water are entirely gone, and our bowsprit, I believe, is sprung, as we carried away the fore-mast and bowsprit. We saved about twelve or fourteen hands. The *Resource* was sent by the admiral to take care of us, fearing we might prove leaky; but, thank God, we are not, though her anchor went through our bow."

2d. At six o'clock in the morning, a dreadful fire broke out at Greenwich-hospital, which burnt most furiously. At ten o'clock the chapel (the most beautiful in the kingdom,) the dome on the south-east quarter of the building, and the great dining-hall, were entirely consumed. The

reservoirs at the top of the building were unfortunately almost empty, and no water to be had for some time, but by a line of pensioners who handed buckets from the Thames; but this supply was so very inadequate, that the fire raged for several hours with unrestrained fury: a great many of the wards were destroyed, and the west wing, in which is the beautiful painted-hall, was in great danger, as the wind set that way. About eleven o'clock several engines arrived from London, and the fire was got under in the evening. The damage done is immense, and it will cost a very large sum to restore the hospital to its former beauty and elegance. The fire began in the tailor's shop, wherein the men had been at work the preceding day, but had mingled holiday rejoicing too much with their labours.

The following are the wards burnt down at the late fire at Greenwich-hospital, viz. King's, Queen's, Prince of Wales, Duke of York's, and Anson's, besides two or three others considerably damaged that are in that quarter: the walls however of the mall, together with that of the chapel, remain nearly entire. The grand hall has not sustained the least injury, the fire being confined to the south-east quarter.

Being the day appointed for the trial of Admiral Keppel 7th. at Portsmouth, at nine in the morning Admiral Pye, as admiral of the white, and president of the court-martial, hoisted his flag on board the *Britannia*. See *Appendix*.

Edinburgh, Jan. 8. The towns of Glasgow, Perth, Dundee, Dunfermline, Kilmarnock, Stirling, Dunse,

Dunse, &c. and a great many others, entered into resolutions to oppose to the utmost any relaxation of the laws against the Roman Catholics.

A great number of the inhabitants of Glasgow also formed themselves into a society to oppose the Roman Catholic bill, the same as the society at Edinburgh, under the denomination of friends to the Protestant interest.

Kirkwall, in Orkney, December 12.

The Brig Fortune is returned from Suliskery to Stromness harbour, having carried home the nine men who had been left upon that rock, all of them in better health than could have been expected. They were 19 days and nights upon the island, the greatest part of that time being as tempestuous weather as has been known there for many winters past. They built a hut for themselves of stone and fods, the wooden battons which they carried along with them to kill the seals supported the roof, which was of fod and seal-skin; but it could not keep out the rain and spray from the sea, with which the whole island is covered when the wind blows high. As they had no fire, they contented themselves with eating the flesh of young seals raw, different kinds of sea weed, particularly dulse, and a considerable quantity of scurvy-grass. They suffered most by want of blankets to keep them warm in the night time. They endeavoured to supply this by mats, which they made of long withered grass, with which this island is covered in the winter season; but as these and their clothes were constantly wet, it did not answer the intention.

At Hicks's Hall yesterday, John Powel was tried on an indictment for stealing dead bodies out of the burying-ground of St. George's, Hanover-square; when he was sentenced to be publicly whipped, which was immediately inflicted.

At the Quarter-sessions of the Peace for Surry, held at St. Margaret's-hill, Southwark, Humphry Finnimore, Esq; a person of 70 years of age, and who has an income of upwards of 500l. a year, was convicted of stealing five turkeys, the property of Thomas Humphries, master of the Gipsy-house, near Norwood.

The sessions ended at the Old Bailey, when the following prisoners received sentences of death, viz. Pierre Maffeau, for burglariously breaking and entering the dwelling-house of John Harriot, the White Horse Cellar, in Piccadilly, with an intent to steal; he was recommended by the jury as an object of his Majesty's mercy; John Hutton, for stealing a lamb, the property of John Vinten, out of the sheep-pens in Smithfield; Henry Hall, William Helsdon, and Thomas Osborn, for a burglary in the dwelling-house of Mr. Wood, at Mill Hill, Hendon, and stealing a quantity of household furniture; William Binns and John Bird, for robbing Anne Hanams on the highway of a bundle of linen.

Philip Sherwin, for a rape on his own daughter, a child of ten years of age, was acquitted.

Plymouth, Jan. 26. On Saturday night last, between the hours of 11 and 12, a man was discovered on the wall of the dock-yard, near the hemp-house. The watch-

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man stationed there, immediately fired, on which he jumped off, and although instantly pursued could not be found. The method he made use of to get on the wall, was by the means of a large fish-hook fastened to a small cord: this was thrown over the wall, by which means he hauled himself up: in his hand he took a small rope with a basket fixed to it, in which was contained a pint bottle of gunpowder, some match, and a dark lantern: it was supposed he intended (when got on the wall) to pull these materials after him. A long piece of match was fastened to the bottle, and, what is very remarkable, a window of the hemp-house was left open at the place he ascended. The scheme seems highly probable to have been concerted, as it happened on a very dark night, and when the yard-men were paid off, as on those nights they generally drink rather freely. Several of the people belonging to the hemp house have been examined, but nothing has transpired to effect a discovery.

DIED, On the 20th of this month, in the morning, at his house on the Adelphi Terrace, universally lamented, David Garrick, Esq; the first of actors, the most affectionate husband, the kindest relation, the most generous benefactor, and the warmest friend. By his uncommon theatrical talents, he, for near forty years, continued to command the unbounded applause of an admiring public, and gave a new lustre and dignity to the profession itself, of which he was so distinguished an ornament. In private life he was so amiable, that he was not only the familiar companion, but

the intimate friend, of some of the first characters of the age, by whom his loss is most severely felt, and most sincerely regretted. He had for many years been unfortunately afflicted with fits of the stone and gravel, which at length affected his kidneys, and occasioned his death, in the sixty-second year of his age. For the last four days of his life he laboured under a suppression of urine, which brought on a mortification, and thence put a period to his existence: as is usual in such cases, he expired without expressing the least sensation of pain, nor did he appear to have felt any for more than thirty hours preceding the moment of his death.

The managers of Drury-Lane, as a token of their regard for Mr. Garrick's memory, shut up the house as soon as they heard of his death, and no play was performed there that evening. The compliment was not handsomer than it was just.

Mr. Garrick's disorder was, (as Mr. Pott predicted previous to the opening of the body) the palsy in the kidneys, which mouldered away on being handled. The ducts leading from the kidneys to the bladder were so stopped, that a probe would not pass through them. In the bladder was a stone the size of a pullet's egg; but with that he might have lived many years. Twelve months since Mr. Pott searched the bladder, and no stone was there; so that it must have accumulated within that time; the heart, liver, and lungs were sound, the intestines adhered to the sides; and Mr. Pott declared he never saw a subject so internally fat.

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The exact amount of the duty on hops for 1778, is 169,345l. 9s. 9d. which is 115,000l. more than any former. The stock in hand is nearly equal to four years consumption.

F E B R U A R Y.

The corpse of David Garrick, Esq; was interred in Westminster Abbey, with great funeral pomp and solemnity. —His pall was supported by Lord Camden, Earl of Ossory, Right Hon. Mr. Rigby, Hon. Mr. Stanley, J. Patterson, Esq; Duke of Devonshire, Earl Spencer, Viscount Palmerston, Sir Watkin Williams Wynne, Albany Wallis, Esq; And, from his late house on the Adelphi Terrace, the hearse was followed by more than 50 coaches of the principal nobility and gentry in and about the metropolis.

By his will, he left his bust of Shakespeare (after his wife's death,) and his collection of old plays, to the British Museum; and the houses in Drury-Lane, which he bought of the fund for decayed actors of the theatre there, back again to that fund. As the public is no farther interested in his will, it were waste of room to record it. He was born in the city of Hereford, and baptised Feb. 28, 1716. His will is dated September 24, 1778, and he died Jan. 20, 1779. He is said to have died worth 100,000l. He appointed Lord Camden, Right Hon. Richard Rigby, John Patterson, Esq; and Albany Wallis, Esq; executors of his will,

Edinburgh; Feb. 3. On Friday last, copies of the following letter were dropt in the different streets and lanes in the city of Edinburgh.

“ Men and Brethren,
“ Whoever shall find this letter will take as a warning to meet at Leith Wynd on Wednesday next in the evening, to pull down that pillar of Popery lately erected there.

A PROTESTANT.

Edinburgh Jan. 29, 1779.

“ P. S. Please to read this carefully, keep it clean, and drop it somewhere else. For King and Country. UNITY.”

In consequence of this letter, a mob last night assembled at a house at the foot of Chalmers's Close, part of which was intended for a Popish church, but had not hitherto been occupied; the rest of the building was possessed by a clergyman of that profession. They began by breaking the windows, but their number being greatly increased, they proceeded to destroy the furniture, and at last set it on fire. The magistrates attended, and used every means in their power to prevent them from accomplishing their design, but in vain; for notwithstanding their efforts, and those of the city guard, and a party of the south fencibles, the whole inside of the house was reduced to ashes. This forenoon a party of the same rioters, it is imagined, attacked the chapel in Black-friars-wynd, the whole furniture of which, together with a valuable collection of books &c. they either destroyed or carried off. Af-

ter which they broke the windows, &c. of several individuals whom they knew to be Catholics. The magistrates this day issued a proclamation desiring masters to keep in their servants and apprentices; notwithstanding which, great numbers assembled in the evening in the College-court, with an intention, as they said, of knocking down the house of Principal Robertson, who, they imagined, favoured the Popish bill: fortunately a party of Dragoons arriving before they could effect their purpose, they dispersed, and left the city in peace, on being assured by the magistrates, that all thoughts of bringing in the bill were laid aside.

This day, by virtue of a 5th. commission from his Majesty, the following bills received the royal assent, viz.

The bill for more speedy and expeditious recruiting his Majesty's land forces and marines.

The bill for better regulating his Majesty's marine forces when on shore.

The bill for allowing the importation of fine Italian organzined thrown silk for a limited time.

The bill for the better preservation of the oyster fishery at Whitstable; and also to several private bills.

The Lieutenant and Midshipman who entered the house of Mr. Axford, and impressed his shopman, received judgment on Wednesday in the Court of King's-bench, to pay each a fine of 13s. 4d. and to be imprisoned for one month in the King's-bench.

Was tried in the Ecclesiastical Court, Doctors Commons, the long depending suit

brought by the Rev. Mr. Sellon, Rector of Clerkenwell, against the Rev. Mr. Taylor and Mr. Jones, for preaching in Northampton Chapel without leave of the incumbent (Mr. Sellon), or a licence of the bishop; when the judge condemned the defendants in costs of suit, and ordered a writ of monition to shut up the chapel.

Last night when the news arrived from Portsmouth of 12th. the honourable acquittal of Admiral Keppel by the Court-Martial, the windows of the houses in the principal streets of London and Westminster were illuminated with lamps, candles, &c. and different devices, and the portico of the Mansion-house was illuminated with upwards of 300 glass lamps.

The bells of several churches were rung, guns fired, and other demonstrations of joy prevailed.

A guard, both horse and foot, was placed before the house lately occupied by Sir Hugh Palliser, in Pall-Mall, which went off about one, soon after which, the mob having first broke all the windows of that house, proceeded to break open the door, destroyed great part of the furniture, and threw the rest out of the windows. The guard was again sent for, and several of the rioters taken in the house, and committed to prison.

The windows and doors of Lord George Germain's house in Pall-mall, were likewise demolished.

Most of the windows of the Admiralty were destroyed by the mob, who took the gates from the hinges, and thereby got into the Courtyard.

A party of the mob also broke all the sedan chairs near the Admiralty,

miralty, and made a bonfire with them before the gates. Some of the mob seemed not to be of the lower class.

About three o'clock an attack was made upon Lord North's house, in Downing-street, where the rioters, after breaking the windows, burst open the shutters, and attempted to get into the house. In about half an hour a small party of foot guards appeared, which was soon followed by a detachment of horse. Justice Addington attended at Lord North's, and read the Riot-Act. Sixteen of the ring-leaders were secured, and the rest suffered to escape.

Capt. Hood's house in Harley-street, suffered also in the same manner; as likewise the house of Lord Mulgrave in Berkeley-square.

Effigies of Sir Hugh Palliser were carried about, suspended by the neck, and afterwards burnt.

This evening there was 12th. again a general illumination throughout the cities of London and Westminster. The Monument was finely illuminated.

A Court of Common Council was held, and a motion made and seconded, that the thanks of the court be given to the Honourable Augustus Keppel, which was agreed to.

Another motion was made, and the question put, that the freedom of this city be presented to Admiral Keppel in a box made of heart of oak, richly ornamented. Agreed to.

Yesterday one James Donally was brought before Sir John Fielding in Bow-street, by Lord Fielding, eldest son of the Earl of Denbigh, charged with attempting, at two different times,

viz. on Saturday and Monday, (the first of which times he got away from his lordship, who then attempted to secure him) to extort money from his lordship, by threatening to accuse him of unnatural crimes. And this day he was again examined, when the Hon. Mr. Fielding, the younger son of Lord Denbigh, appeared also and swore, that on Saturday last the prisoner attacked him in the same manner, threatened to accuse him of unnatural crimes if he did not give him money, and insolently bid Mr. Fielding take care what he was about, as he, Donally, would charge him with the fact at such a time that Mr. Fielding could not prove an Alibi. This Old Bailey expression obtained half a guinea from Mr. Fielding; but the villain, not content with it, although the whole Mr. Fielding had in his pocket, insisted on more, when Mr. Fielding went to a Grocer, whom the Earl of Denbigh dealt with, and borrowed a guinea, which he also gave to Donally, when the latter went away, and Mr. Fielding was obliged to return home for another half guinea to go to the play. He was immediately committed for a highway robbery on Mr. Fielding.

The sessions ended at the 19th. Old Bailey, when the above mentioned James Donally was capitally convicted of the above offence. The prisoner in his defence urged a point of law, and submitted it to the judges, Buller and Perryn, whether it was a street robbery. He also said that the charge was never thought of till Mr. Fielding came to the public-office in Bow-street, where Sir John Fielding put it into the prosecutor's

secutor's head. This was positively denied by Lord and Mr. Fielding, on oath. Judge Buller observed to the jury, that the latter part of the prisoner's defence was an high aggravation of his offence; for he accused Sir John Fielding of subornation, and Lord and Mr. Fielding with absolute perjury. With regard to the former part of it, his lordship observed, that to constitute a highway robbery there was no necessity for corporal fear; for if a person gives his money under terror of mind, and compulsively, and against his will, or for fear of loss of character, it is in law established to be a capital offence; nor was there any necessity for a person so giving his money to be in dread of his life by a charge exhibited against him; it was sufficient that the money was obtained under terror of mind, &c. Under this direction the jury found him guilty; but Judge Buller respited sentence until the opinion of the twelve judges can be had, he taking the verdict of the jury, that "the money was obtained under terror of mind."

On the same day, the following convicts received sentence of death: Robert Dare, for robbing his mistress of a gold slide; John Richmond, for house-breaking; James Wooley, for stealing stockings; John Huddey, for burglary; Naphthali Jacobs, a Jew, for stealing kitchen furniture, &c.; William Germain, for horse-stealing; Fred. John Eustace, for stealing linen, &c.; Sarah Hill, for stealing wearing apparel; Thomas Norman, for a street robbery; Rowland Ridgley, who in December session was convicted of having in his pos-

session a certain implement for coining, and whose judgment was respited for the opinion of the judges.

A new writ was ordered to be issued for electing a member for Scarborough in the room of Sir Hugh Palliser, who has accepted the place of steward of the three Chiltern hundreds.

The amount of the employments resigned by Sir Hugh Palliser, viz. his seat at the Board of Admiralty and his Lieutenancy of the Marines, amounts to no less a sum than 4000*l.* per annum.

About one o'clock this day, the deputation of aldermen and commons of London, waited upon Admiral Keppel, at his house in Audley-street, where they delivered him the freedom of the city of London in a box made of heart of oak, ornamented with gold. Having refreshed themselves, they set out at 3 o'clock, in the following procession, to dine at the London Tavern, in the city. The two city marshals on horseback, their horses adorned with blue ribbons; Alderman Crosby, as senior alderman in his own coach, with a sailor behind carrying a blue flag, with the word **KEPPEL** in large red letters: next, that of the admiral, in which he rode with Lord R. Cavendish on his right hand; after them two or three naval officers, the other aldermen, commoners, and city-officers in their own carriages. At Charing Cross the mob, who were now become very numerous, taking off the admiral's horses, drew him themselves; and three sailors, after displacing the coachman, got upon the box, where they hoisted the flag from the

the alderman's coach. Soon after, this the procession was joined by the Marine Society, with emblematical streamers, which followed the city marshals. At Temple-bar a band of martial music received him, and another at the Obelisk, at the bottom of Fleet-street. They arrived at the London tavern about five o'clock, amidst the acclamations of a prodigious crowd; and at night the Mansion-house was illuminated, and there was the most general illumination throughout London and Westminster ever known.

25th. The entertainment which was intended for Admiral Keppel by the West-India planters and merchants, and which was fixed for to-day, was put off by the particular desire of the Admiral, from an apprehension that the excesses which were committed on Saturday last, and which he or his friends could not repress, might be renewed on this occasion.

DIED, Isaac de Groot, great grandson to the learned Grotius. He had long been supported by private donations, and at length was provided for in the Charter-house, where he died.

M A R C H.

3d. This day came on to be tried before Earl Mansfield, at Guildhall, a cause in which a free black of Anamaboe, on the coast of Africa, named Amiffa, was plaintiff, and a commander of a Liverpool trader, defendant. The circumstances of the plaintiff's case were these: In the latter end of the year 1774, the defendant was lying with his ship at Anama-

boe, and being in want of hands, hired the plaintiff as a sailor to assist in navigating the ship, and advanced him part of his wages. When the ship arrived at Montego Bay, in Jamaica, the plaintiff was sent with three other sailors to row some slaves on shore, which the defendant had sold to a planter there; but as the defendant had previously sold the plaintiff also as a slave, the planter would not suffer him to return, but sent him up to the mountains, and there employed him as a slave. When the defendant returned with his ship to Anamaboe, he gave out to the plaintiff's friends that he had died on his passage; but a black happened to return to Anamaboe a year or two afterwards, and giving an account that he had left the plaintiff in slavery at Jamaica, the king, and other great people of the country, desired Capt. E. who was then on the coast with his ship, on his arrival at Jamaica, to purchase the plaintiff's redemption, and to send him back to his friends, the expences of which they undertook to pay; and the better to identify his person, they directed the son of one Quaw, a gold-taker at Anamaboe, to accompany Capt. E. on his voyage. Soon after their arrival at Jamaica, they found out the plaintiff, redeemed him after a slavery of near three years, and brought him to London, where the matter was laid before the African Committee, who ordered the defendant to be prosecuted, as a means of deterring captains of ships from the like practices in future. The learned judge who tried the cause, summed up the evidence with suitable remarks on the good policy and humanity of such

such actions, and recommended to the jury to give exemplary damages. The jury, after staying out of court about a quarter of an hour, returned, and found a verdict for the plaintiff, with 500*l.* damages.

Extract of a letter from Madrid, dated Feb. 22.

“An express is arrived at court with an account of the following melancholy event:—Count O’Reilly having planned and built a new bridge at Puerta de St. Maria; as soon as it was finished, the 14th of this month was appointed to confer a benediction upon it, when a vast number of persons assisted at the ceremony, in the middle of which the bridge fell in. The number of persons who were drowned, killed, or wounded, is not yet ascertained, but it is computed to be about 600, and among the rest the ecclesiastic who officiated, and several persons of the most distinguished families in the kingdom. The detail of this accident forms a most melancholy story; the Countess O’Reilly was saved in a providential manner, while many noblemen and ladies who were also there were lost.”

16th. The following bills received the royal assent by Commission:

A bill for raising a certain sum by annuities, and a lottery.

A bill for preventing mutiny and desertion.

A bill for the better government of his Majesty’s ships, vessels, and forces at sea.

A bill for the better supply of mariners and seamen, to serve in his Majesty’s navy.

A bill for the better regulation of mad-houses.

A bill for raising a fund for the relief of the widows and children of the clergy in Scotland.

A bill for the better relief and employment of the poor in certain hundreds in Suffolk.

And several road and private bills.

Yesterday morning, between two and three o’clock, 17th. a fire broke out at a ship-chandler’s between the Hermitage-bridge and Union-stairs, Wapping, which burnt both sides of the way. Upwards of 30 houses in front were consumed, with most of their furniture. Many houses were burnt down between Hermitage-street and the river; and several oil and hemp warehouses, full of those articles, were likewise consumed. It is computed that about 100 houses were burnt down and damaged, besides warehouses with pitch, tar, masts, &c. and other out-buildings; some ships were likewise consumed, and several of the small craft, &c. damaged. Several persons were buried in the ruins of a house which fell down, but happily dug out alive: the house was thrown down by the explosion of some gunpowder lodged in the cellar. Five men are said to be killed by the falling of one of the houses, being all buried in the ruins.

This day the report was made to his Majesty in 19th. council by the Deputy-recorder, of the convicts under sentence of death in Newgate: when the following were ordered for execution on Wednesday the 31st instant, viz. Naphthali Jacobs, for stealing in the house of Joseph Smith, at Hox-

ton,

ton, a quantity of kitchen furniture; Rowland Ridgley, who in December session was convicted of having in his possession an implement for coining, and whose judgment was respited for the opinion of the Judges; and Frederick John Eustace, for stealing some linen and stockings, the property of Henry Johnson, in the rooms over the Earl of Clarendon's stables, in Grosvenor-street.

The following were respited during his Majesty's pleasure, Robert Dare, for stealing a gold slide, set with diamonds, the property of Mrs. Egerton, to whom he was servant; John Richmond, alias Browes, for breaking open the house of Agnes Herbins, and stealing gowns, linen, &c. James Wooley, for stealing in the house of Robert Sudlow, in Wigmore-street, 24 pair of thread stockings; John Huddey, for a burglary in the house of Henry White, in Kensington, and stealing linen and apparel; Sarah Hill, for stealing some wearing apparel, &c. the property of Elizabeth Martin; William Germain, for stealing a gelding; and Thomas Norman, for robbing Elizabeth Cornet, in Hart-street, Crutched-friars, of a quantity of linen.

At Thetford assizes, November 20th. folk, this week, a cause was tried by a special jury, between a young lady, plaintiff, and a clergyman, defendant. The action was brought for non-performance of a marriage contract; when it appeared on the trial he preferred his servant maid, whom he married, although the young lady had a fortune of 70,000 l. when a verdict was given for the plaintiff with 800 l. damages.

It was resolved in the House of Commons, that the act 23d. prohibiting the growth of tobacco in Ireland be repealed; and that tobacco, the produce of Ireland, be imported into Great Britain, under the same privileges as were formerly enjoyed by the colonies.

This evening the ceremony of the christening of the young Prince was performed in the Great Council-chamber, St. James's, by his Grace the Archbishop of Canterbury. His Royal Highness was named Octavius.

The fine seat of Sir Thomas Dyke Ackland, at Halincourt, was burnt to the ground, and very little of the furniture saved.

At Doctors Commons, 26th. the Merits of a libel, brought by the Marquis of Carnarvon against his lady, on a charge of adultery, was argued; and her ladyship's criminality being fully proved, sentence of divorce was pronounced by Dr. Bettesworth, chancellor of the diocese of London.

The *Arethusa* frigate, Captain Holmes, commander, was wrecked upon the rocks near Ushant, in pursuit of an enemy. The crew were saved, and treated by the French with every mark of humanity.

Paris, March 19. M. de Sartine, minister of the marine department, has wrote the following circular letter to all captains of armed vessels, privateers, &c.

"Capt. Cook, who sailed from Plymouth in July, 1778, on board the *Resolution*, in company with the *Discovery*, Capt. Clarke, in order to make some discoveries on the coasts, islands, and seas of Japan and California, being on the point

point of returning to Europe, and as such discoveries are of general utility to all nations, it is the king's pleasure, that Capt. Cooke shall be treated as a commander of a neutral and allied power, and that all captains of armed vessels, &c. who may meet that famous navigator, shall make him acquainted with the king's orders on this behalf, but at the same time let him know, that on his part he must refrain from all hostilities."

DIED, Mrs. Clarke, aged 102, the mother of Mr. Clarke, of Covent-garden theatre.

A P R I L.

L E N T A S S I Z E S.

At Oxford three condemned—all respited.

At Reading four—all respited.

At Northampton three—left for execution.

At Winchester eleven—all reprieved for the land or sea service.

At Cambridge four—one left for execution.

At Huntingdon two—both reprieved.

At Worcester four—all reprieved.

At Maidstone eight.

At Aylesbury eight—five reprieved.

At Bedford one—reprieved.

At Salisbury one—reprieved.

At Gloucester ten—one reprieved.

At York six—one reprieved.

At Leicester two.

At Kingston, Surry, seven.

At East Grinstead one.

At Exeter five.

At Lincoln one.

At Lancaster two.

At Bury Assizes (holden for the county of Suffolk) came on the trial of two midshipmen, and 14 others of a press-gang, committed to Ipswich gaol in December last, for the murder of one Thomas Nichols, a publican there; when the Jury, by the direction of the Judge, brought in a Special Verdict, containing all the material facts proved on the trial, and praying the judgment of the Court of King's Bench upon the several points of law arising thereon; among which is that most important and long-contested question respecting the right of impressing seamen for his Majesty's service.

At Warwick seven—four (one for murder) executed.

At Shrewsbury seven—two (one for murder) executed.

At Stafford four—one of whom (George Easthop, for murdering a man who attempted to impress him) was executed.

At Taunton four—three reprieved.

At the above assizes came on the trial of Count Rice for the death of Viscount Du Barré. When the evidence on the side of the crown was closed, the Count in a short defence stated the commencement and progress of his connections with Viscount Du Barré nearly as follows:

"My acquaintance, said he, with Viscount Du Barré originated at Paris in the year 1774. His family were then soliciting some favour at Vienna, and my connections at that Court, which he thought might be serviceable to him, engaged his attention to me.

Wq

We lived from that period, till the day before his death, in an intercourse of mutual good offices and civility. An expensive line of life, and considerable losses at play, frequently involved him in difficulties, to extricate himself from which he often borrowed large sums of money from me. I have in my possession letters, which I shall now produce, acknowledging the receipt of various sums of money, as well as bills and notes of hand, to the amount of some thousands of pounds still unpaid, and which, from the embarrassed state of his affairs, I must look on as totally lost.

"A gouty humour which fell upon his bowels and legs last summer induced some English physicians he met at Spa to recommend the use of the Bath waters. Determined, as it appears by these letters written a few days before he set off for England, to play no more, and to regulate his affairs with prudence, he resolved upon this excursion, in order to attend to his health, and restore his peace of mind. He frequently solicited me to accompany him, to which I at last consented; and accordingly we came to England together at a mutual and proportional expence. We took a house at Bath, and lived there upon the same terms. For some weeks we continued to live at Bath on our former and accustomed intimacy, and, though the Viscount Du Barré was a man of an impetuous temper, without any material disagreement till the unfortunate dispute, which terminated in the loss of his life, and the imminent hazard of mine. It is needless here to enter into the origin of that dispute, or impute

blame to the deceased, who can no longer vindicate his conduct."

The Count, after some pathetic observations on the sufferings he had undergone from his wound, concluded by referring to the evidence already given, as some reasons, he said, prevented his calling the seconds before the Court with propriety, and committed himself with confidence into the hands of his Jury; persuaded, to use his own words, that, in order to determine justly upon his conduct, in the crime imputed to him, they would put themselves in his situation, and adopt those feelings by which he was necessarily actuated on the unfortunate occasion.

Mr. Justice Nares addressed the Jury in an affecting speech; remarked to them in particular the unusual backwardness the prisoner had shewn in this transaction, and his humanity to the unfortunate Viscount after his fall, and directed a verdict for Manslaughter. The Jury, after a short consultation, desired to know if they might not totally acquit the prisoner; and after a few minutes deliberation, pronounced him Not Guilty.

This day, by virtue of a commission from his Majesty, 1st. the royal assent was given to the following bills, viz.

The bill for laying additional duties on certain goods under the inspection of the Commissioners of Excise and Customs.

The Bill for allowing the importation of certain goods sold to foreigners in British-built ships.

The bill for the better encouraging the white herring-fishery.

The bill for better encouraging the Irish linen manufactory.

The

206] ANNUAL REGISTER, 1779.

The bill to revive and continue certain expiring laws.

The bill for better regulating lottery-office keepers; and also to several other public and private bills.

7th. This evening, as Miss Reay was coming out of Covent-garden theatre, in order to take her coach, accompanied by two friends, a gentleman and a lady, between whom she walked in the Piazza, a man stepped up to her without the smallest previous menace, or address, put a pistol to her head, and shot her instantly dead. He then fired another at himself, which, however, did not prove equally effectual. The ball grazed upon the upper part of the head, but did not penetrate sufficiently to produce any fatal effect; he fell, however; and so firmly was he bent upon the entire completion of the destruction he had meditated, that he was found beating his head with the utmost violence with the butt end of the pistol, by Mr. Mahon, apothecary, of Covent-garden, who wrenched the pistol from his hand. He was carried to the Shakespeare, where his wound was dressed. In his pockets were found two letters; one a copy of a letter which he had written to Miss Reay, and the other to his brother-in-law, in Bow-street. The first of these epistles is replete with warm expressions of affection to the unfortunate object of his love, and an earnest recommendation of his passion. The other contains a pathetic relation of the melancholy resolution he had taken, and a confession of the cause that produced it. He said, he could not live

without Miss Reay; and since he had found, by repeated application, that he was shut out from every hope of possessing her, he had conceived this design as the only refuge from a misery which he could not support. He heartily wished his brother that felicity which fate had denied him, and requested that the few debts he owed might be discharged from the disposal of his effects. When he had so far recovered his faculties as to be capable of speech, he enquired with great anxiety concerning Miss Reay; being told she was dead, he desired her poor remains might not be exposed to the observation of the curious multitude. About five o'clock in the morning Sir John Fielding came to the Shakespeare, and not finding his wounds of a dangerous nature, ordered him to be conveyed to Tothill-fields bridewell. This ill-fated criminal was a clergyman; about four years ago he was an officer in the army; but not meeting with success in the military profession, by the advice of his friends he soon after quitted it, and assumed the gown.

The body of the unhappy lady was carried into the Shakespeare tavern for the inspection of the coroner.

When the news of this misfortune was carried to a certain nobleman, the Earl of S——ch, it was received by him with the utmost concern; he wept exceedingly, and lamented with every other token of grief the interruption of a connexion which had lasted for 17 years with happiness to both.

She had had nine children by the noble Lord, five of whom are

now

now living, and have been instructed by her with motherly attention.

10th. The man who a few days ago was sent to Liverpool by Sir John Fielding to apprehend a Mr. Lowe, suspected of being concerned in setting the new hospital, for the reception of blind patients at Kentish Town, on fire, returned to London, with an account, that Lowe being apprehended, and examined before the mayor of Liverpool, had, in the night before he was to be brought to town, poisoned himself. This Lowe was originally a livery servant. He afterwards kept a public house, in which he scraped up some money: when, by usurious means, he made a small fortune, and then commenced gentleman. He afterwards took a genteel house the corner of Queen-square, Ormond-street, where he resided till the late affair happened. He was a man of uncommon address, for one whose mind was uncultivated with any degree of learning. He passed for a very benevolent, charitable man, having done many acts of beneficence through ostentation, and has subscribed to many of the public charities, to give the world a high opinion of his fine and generous feelings. By these means he obtained the late station of treasurer and chief conductor of the new-instituted charity; by which, it is averred, he obtained the possession of near 5000 l. It appears that combustibles had been conveyed into the house through a pane of glass, though the same did not take effect till after he had set out for Liverpool, where he pretended business; yet, there having been neither fire nor candle used in

the house, and some other circumstances arising to create suspicion, he was questioned about it by letter, and prevaricated so much, that there remained no sort of doubt with Sir John Fielding but that he was the principal incendiary; which his untimely death has confirmed. He has since been buried in a cross-road, and a stake is driven through his body, as a suicide.

This morning, about nine 16th. o'clock, the Reverend Mr. Hackman was brought from Newgate to the bar of the Sessions-house in the Old Bailey, where he was arraigned for firing a pistol at Miss Reay, as she was coming out of Covent-garden playhouse, on Wednesday the 7th inst. which killed her on the spot; to which indictment he pleaded Not Guilty; when the several witnesses were examined, they gave the same evidence as they had given before Sir John Fielding, which being gone through with, Judge Blackstone, who tried him, called on Mr. Hackman to make his defence, or, if he chose it, he might leave it to his counsel. After Mr. Hackman had wiped a flood of tears from his eyes, he pulled out a sheet of paper from his pocket, and read, the substance of which was nearly to this purport: "My Lord, I now stand arraigned for a heinous crime, and if found guilty, must suffer the death that the laws of my country have allotted in such cases; and as I have taken away the life of one whose life was dearer to me than my own, I therefore shall meet my unhappy fate with fortitude and resignation, and acknowledge the justness of my sentence." The Judge afterwards summed

summed up the evidence, and gave his charge to the Jury in an excellent speech, in which he said, that the letter found in the prisoner's pocket, directed to his brother-in-law, was sufficient to conclude he was not insane. The Jury, without going out of court, found him guilty, when the Deputy-recorder passed sentence on him, and he was executed the Monday following.

This day the sessions ended at the Old Bailey, when the following convicts received sentence of death, viz. Thomas Fox, for stealing a mare from Richard Clewin, at Hendon, and on another indictment, for stealing a mare from William Hands in Northamptonshire; John Harris, for a burglary in the dwelling-house of William Prior, in Coventry-street, and stealing a quantity of china; Capt. James Major, for sending a threatening letter to Sir William Mugrave, threatening to murder him; Elizabeth Lambert and Mary New, for robbing Mary Beachman on the King's highway; James Hackman, Clerk, for the wilful murder of Martha Reay, spinster; William Walker, for burglariously breaking open the house of James Pentecrofs, in Shoe-lane, and stealing a quantity of copper, brass, &c. Christopher Foley and Peter Weldon, for coining and counterfeiting the King's silver coin, called Sixpences, at the house of Weldon, in Oat-lane, Noble-street; three were sentenced to hard labour on the river Thames, eleven were burnt in the hand, and ordered to be kept to hard labour in the house of correction for divers terms; nine were ordered to be whipped, and seven-

teen discharged by proclamation; John Vincent, convicted of feloniously killing and slaying Mary Dollard, a woman with whom he had cohabited many years, by shooting at and wounding her in the back and shoulder, with a gun loaded with powder and shot, of which wound she languished some time, and then died, in the parish of Fulham, was branded, and ordered to be imprisoned one year in Newgate. William Stenson was convicted of feloniously counterfeiting the copper money of this kingdom, called Halfpence, and ordered to be branded in the hand, and imprisoned one year in Newgate.

One Browne was tried for wilfully setting fire to his house at Wapping, which occasioned the late dreadful conflagration. An Alibi was proved, on which the Jury, without going out of court, brought in their verdict, Not Guilty.

Soon after came on the trial of Thomas Hilliard, for wilfully setting fire to his house in Bird-in-hand Court, Cheap-side; he was acquitted on a point of law, viz. that the closet he set fire to, was not any part of the dwelling-house.

The Judges met in the evening at Lord Chief Justice De Grey's house in Lincoln's-inn-fields, to give their opinion on the case of James Donally, convicted the session before last for a robbery on the person of the Hon. Charles Fielding, son of the Earl of Denbigh, when Counsel were first heard, viz. Mr. Howarth in behalf of the crown, and Mr. Graham in behalf of the prisoner, who having withdrawn, their Lordships

ships singly delivered their opinion, each of whom were clearly of opinion, that the threat of the prisoner, when he demanded Mr. Fielding's money, viz. " You had better comply, or I'll take you before a magistrate, and charge you with an unnatural crime," was equivalent to an actual violence, and was such a method as in common experience was likely to occasion fear, and induce any man to part with his property. Lord Mansfield with great energy observed, that it was a specious mode of robbery of late grown very common, invented by fraud to evade the law, but which would not suffer itself to be evaded. God only knows what numberless robberies of this kind would have been perpetrated by these detestable wretches on timorous minds, if their Lordships had been of a different opinion.

DIED, At Pershore, in Worcestershire, in his 55th year, the Rev. J. Ash, LL.D. an eminent Dissenting minister; author of a celebrated " English Grammar;" of " The Complete English Dictionary;" of " Sentiments on Education;" and several other publications.

M A Y.

*Extract of a Letter from Ireland,
dated May 1.*

" At an assembly held at the Tholsel of the city of Dublin the 16th of April, 1779, the following resolutions were agreed to :

Resolved, That the unjust, illiberal, and impolitic opposition
Vol. XXII.

given by many self-interested people of Great Britain to the proposed encouragement of the trade and commerce of this kingdom, originated in avarice and ingratitude.

Resolved, That we will not, directly or indirectly, import or use any goods or wares, the produce or manufacture of Great Britain, which can be produced or manufactured in this kingdom,—till an enlightened policy, founded on principles of justice, shall appear to actuate the inhabitants of certain manufacturing towns of Great Britain, who have taken so active a part in opposing the regulations proposed in favour of the trade of Ireland: and that they appear to entertain sentiments of respect and affection for their fellow-subjects of this kingdom."

Last week an application was made to the Court of 3d. King's Bench, by Mr. Dunning, for an Habeas Corpus to bring up two lads from the Nore, who had been impressed. The affidavits on which the application for the Habeas were grounded, stated them to be apprentices; when Lord Mansfield said, that instead of a Habeas Corpus he should go a shorter way to work, and grant his warrant for bringing them before him, being apprentices. That he knew not of any such authority till some years ago, reading some old law books; that he went to Lord Hardwicke, and consulted him on it, who agreed that it was in their power to grant their warrant in such a case for an apprentice; that Lord Chief Justice Holt was of the same opinion, and that there were several precedents for it. His Lordship ordered the regular
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216] ANNUAL REGISTER, 1773.

gular days to be taken to detain the warrant.

Came on before the Barons 13th. of the Exchequer the hearing of a cause, wherein a gentleman of the town of Kingston upon Hill was plaintiff, and the Rev. Thomas Henson, vicar of Kirk Ella, defendant. The suit was for the tythe of a small quantity of potatoes, value 17s. which the plaintiff claimed as monopolist; when, after a fair hearing, it was determined that potatoes are a small tythe; and the Vicar's claim to all the small tythes being allowed, the Barons decided the cause in favour of the vicar, and ordered the plaintiff's bill to be dismissed.

Extract of a Letter from Whiteſtair.

8th. "On Monday night a large body of French prisoners confined in the King's house here, found means to let themselves down into a vault in the north wing, from whence they cut a hole through the foundation of the building, and undermined the ground for some distance; and had it not been for an accident occasioned by their eagerness in getting out, in which a boy's arm was broke, and whose sudden cries instantly alarmed the sentinels, it is supposed some hundreds would have got off undiscovered, but, owing to the above, only eleven made their escape."

The bill for vesting in 10th. the two universities, &c. the exclusive right of printing almanacks, was read a second time; when a petition from Mr. Carran, bookseller, was also read, praying to be heard by counsel against the said bill, which was granted; when Mr. Davenport and Mr. Er-

some were both admitted to the bar, and on pleading the law against monopolies, and the legal determination of the courts of Chancery and Common Pleas, the bill was rejected on a division 60 to 12.

This day the following 13th. bills were passed by com-mission:

An act for the further relief of Protestant Dissenting Ministers and Schoolmasters.

An act to repeal so much of several acts of Parliament as prohibit the growth and produce of tobacco in Ireland, and to permit the importation of tobacco of the growth and produce of that kingdom into Great Britain, &c.

An act for granting a bounty upon the importation into this kingdom of hemp, of the growth of Ireland, for a limited time.

An act for granting a drawback of the duties imposed by an act of the last session of Parliament upon all foreign wines exported from Great Britain to any British colony in America, or to any British settlement in the East-Indies.

An act to enable the Chancellor and Council of the Duchy of Lancaster to sell and dispose of certain fee farm rents, and other rents, &c.

An act for altering the times of holding the Martinmas and Candlemas terms in the Court of Exchequer in Scotland.

An act for better securing the duties on starch.

And to several road, inclosure, and other bills.

This morning the Knights 19th. Elect of the Bath assembled in the Prince's Chamber, Westminster. About half past eleven o'clock

5'clock the proceſſion began to the Abbey, after walking round which they entered Henry the Seventh's chapel, where they were inſtalled with the uſual formality.

The Knights inſtalled were Sir Robert Gunning, Bart. Sir James Adolphus Oughton, R. H. Sir John Blaquiere, Sir George Howard, R. H. Sir John Irwine, Sir William Gordon, Sir William Howe, Sir Guy Carleton, Sir Edward Hughes, Sir Henry Clinton, Sir Hector Munro, Sir James Harris, and the Earl of Antrim.

Sir J. A. Oughton, Sir Edward Hughes, Sir Henry Clinton, Sir James Harris, and Sir Hector Munro, were inſtalled by Proxy.

His Royal Highneſs Prince Frederick ſat as Great Maſter, and did the buſineſs with eaſe and wonderful propriety.

A gallery was erected over the door of the chapel, in which the Prince of Wales, with two of the Princes his brothers, the Duke of Montagu, &c. ſat to ſee the ceremony.

The Queen, and others of the royal children, were placed in a gallery built for that purpoſe, near the great weſtern door of the Abbey, from whence they had a full view of the proceſſion through the Abbey to and from the chapel.

The whole ceremony was finiſhed by half after two, and in the evening a grand ball was given by the knights who were inſtalled, at the King's Theatre in the Hay-market, at which upwards of 1000 of the nobility and gentry were preſent.

This day James Mathiſon was tried at the Old Bailey, for a forgery upon the Bank of England.—There perhaps

never appeared in any court of juſtice ſo capital, nor ſo ingenious a man in his ſtile as this priſoner. He has reigned longer in his villainy, and has executed it with more dexterity than any that probably ever preceded him. His practice for ſome time paſt had been to go to the Bank, and take out a note :—this he counterfeited, paſſed the copy, and after ſome time returned the original again. The frequency of his applications at laſt however excited ſuſpicions, which, added to ſome other circumſtances, ariſing from his appearance and figure in life, he was taken up. On his apprehenſion, he denied the accuſation, called himſelf a watch-maker, and ſaid he lived by the honeſt exerciſe of his employment ; but when he was brought before Sir John Fielding, he was there known to be the perſon who had been charged with forgeries upon the Bank at Darlington ; and being told there, that his name was Mathiſon, and not Mathews, as he had given out, he immediately loſt all confidence, and taking it for granted that there were circumſtances already diſcovered entirely ſufficient for his conviction ; he ſaid, it was needleſs to conceal any thing then, and gave an ample information of his various frauds, and his mode of carrying them into execution. The particular forgery on which he was charged to-day, was, for uttering a twenty-pound bank note, Bank of England, at Coventry. The note was produced in Court, and witneſſes were brought to prove its having been negotiated by him. This fact being eſtabliſhed, the next circumſtance in conſideration was, to

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The lieutenant was called, but did not appear, when the Bench, considering his conduct and terrifying threats, ordered that he be apprehended, and held to the peace, as well to all his Majesty's subjects, as to Miss Clavering in particular, to find sureties in 500l. each, and himself in 1000l. for seven years, at the same time granting a warrant against him, with an order of Court for an hour's notice of bail, with references therein to Sir John Fielding to take bail.

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Hill and Durell pleaded not guilty, the rest pleaded guilty. Hill was acquitted for want of evidence, and Durell found guilty, but fined only 1s. on a doubt of his being

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214] ANNUAL REGISTER, 1779.

press was the sponsor. After the ceremony the foreign ministers and nobility dined with her Imperial Majesty at a table of two hundred covers. On this occasion several promotions were made in the civil and military departments.

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The house and servants tax bill.

The bill for raising 1,500,000l. by loans, and the bill for raising 1,900,000l. by Exchequer bills.

And Bromfield's, Sealy's, and Sewell's divorce bills.

Lately was deposited in the library of the University of Edinburgh a cabinet of medals, presented by Princess Datchaw, Countess of Woronzow; containing, 1. A series of the Sovereigns of Russia, from the Grand Duke Rurick, who reigned at Novogrod, A.D. 862, to the Empress Elizabeth, who was placed on the throne, A.D. 1741. 2. The medallion history of Russia, in a series of medals struck in commemoration of the great events which have happened in that empire from the birth of Peter the Great, A.D. 1672, to the birth of Alexander, son of the present Grand Duke, A.D. 1777. 3. Medals struck under different Sovereigns, in honour of illustrious persons, who had distinguished themselves in the service of their country. All the medals in this collection are of exquisite workmanship. Several of them finished by Russian artists; and, in elegance of design, as well as execution, not inferior to the medals of any nation in Europe.

Sixteen sailors, lately tried at Ipswich for the murder of a publican, at whose house they went to impress a man, and ~~their~~ *case* found *special*, were brought before the Court of King's-bench, to receive the final decision of that court; when, on some defect in the verdict in not fixing the murder on any one in particular, the

whole were judged innocent, and consequently discharged.

Mr. Beacroft, in behalf 18th, of a great number of prisoners in the King's-bench, presented a petition to the court, with an affidavit annexed, praying their lordships interference and support, against several complaints therein stated, and ill treatment they have received from a number of associated prisoners, who had, in opposition to all law, in defiance of the marshal's power, and contrary to all ideas of honesty and humanity, erected themselves into a kind of tribunal, disposed of the property, and inflicted corporal punishment on all who refused to comply with their violent and unjust commands.

Mr. Beacroft said, that a Capt. Philips and a Mr. Chillingsworth had fashioned a Court of King's-bench within the walls of the prison, and that the former stiled himself marshal, the latter his deputy. That, assisted by about 80 more, they issued precepts, summonses, orders, decrees, executions, &c. against the persons and property of prisoners, and committed many flagrant acts of oppression and injustice, which Mr. Beacroft observed did not call for any particular motion, but might be submitted in the gross to the wisdom and humanity of the court. The petition and affidavit were read, which formed nine different complaints to the court. That there were only 140 rooms in the prison, and near 600 prisoners; that they were dispossessed of their rooms, at the will and discretion of the above court; that their property was also seized on and disposed of as that court

thought fit: that the actual marshal of the King's-bench had not visited the bench above three times in the last year; that the above court consisted of prisoners, who had long been intitled to their discharges: that they refused to go out, because in that case they would be obliged to give up their property to their just creditors: that that court by their oppressions and extortions had even raised the price of rooms from 50l. to 70l. per annum: that they claimed them by seniority, and let rooms out, not chusing to live in them on that account: that numbers of them had been long superseded, or intitled to their discharges under insolvent acts and lords acts: and lastly, that such was the violence and enormities committed by them, that it was dangerous to oppose or refuse to obey, and therefore prayed the court's interposition. This complaint Lord Mansfield said called for immediate redress, but in doing that he confessed himself at a loss how to steer, as in doing justice to the distressed prisoner, he might injure the creditor, who equally called for his attention. The court were forming several resolutions thereon, which seemed to militate against its own intention, such as discharging those intitled to their discharges, &c. when Mr. Dunning framed the following order of court, 'that every prisoner who had been superseded six months, and who had not been superseded, should be discharged immediately, unless such prisoner should be charged with a fresh action, and that then he should lose the benefit of his seniority.' This fully met the intention of the court, and Lord

Lord Mansfield said he saw the wisdom of it, as many prisoners intitled to their discharges would procure friendly actions to keep them in prison, merely for the sake of holding the rooms, which this order would effectually stop. The court also came to another resolution, which was, that every prisoner should inhabit the room he held; and lastly, that Capt. Philips be brought up on Monday next, as the head of the association, to answer personally for the violence and outrages committed on distressed and injured prisoners, by him and his desperadoes; by the first order near 100 prisoners will be discharged, and new ones obtain rooms on moderate terms.

22d. Yesterday, pursuant to an order of the Court of King's-bench, on Friday last, Capt. Thomas Philips was brought up a prisoner from the King's-bench prison, touching the Court of King's-bench within the prison, of which court Captain Philips acted as Lord Chief Justice, and of whom complaint had been then made, as guilty of many acts of oppression to his fellow prisoners, in his assumed character, Captain Philips, in his affidavit, stated, that the court was formed before he became a prisoner; that soon after his confinement, he was unanimously elected Lord Chief Justice, and that the court was not of his substituting, but committed to his presidency. That the court was highly serviceable to the community, preventing confusion and disorder, and enforcing regularity.

Mr. Beacroft, counsel for the petitioning prisoners, the foremost of whom is a master smith, made

no observation to the court on the alledged offence or open defence, but moved, "That as the Lord Chief Justice of the King's-bench prison, stood charged in execution as a prisoner at the suit of the crown (for smuggling), and as there were also several detainers lodged against him as well for criminal as civil matters, he be removed from the seat of his jurisdiction, to the New Jail in the Borough." Lord Mansfield recapitulated his former abhorrence of the illegal and oppressive measures of that self-created court, declared, that if it was continued, the members thereof should be proceeded against with the highest severity; and as an example, ordered his brother Justice to be instantly carried to the confined purlieu of the New Jail. His lordship mentioned also, that one hundred prisoners were, on examination, found to be dischargeable, and who were voluntary prisoners, in the benefit of letting out rooms, and for the convenience of smuggling, of which number was the Lord Chief Justice Philips, and that a very considerable seizure had been made on Saturday last. Mr. Philips was immediately put into a coach, and carried to his new lodgings.

This day was held a 24th. Common Hall at Guild-hall, for the choice of such officers belonging to the corporation as are annually elected on this day. As soon as the common cryer had opened the court, Mr. Alderman Townsend came forward with a letter in his hand, which he said he had received from Mr. Oliver, one of the representatives in Parliament for this city, which with their leave he would read.

The

210] ANNUAL REGISTER, 1779.

gular steps to be taken to obtain the warrant.

7th. Came on before the Barons of the Exchequer the hearing of a cause, wherein a gentleman of the town of Kingston upon Hull was plaintiff, and the Rev. William Huntingdon, vicar of Kirk Ella, defendant. The suit was for the tythe of a small quantity of potatoes, value 17s. which the plaintiff claimed as impropiator; when, after a fair hearing, it was determined that potatoes are a small tythe; and the Vicar's claim to all the small tythes being allowed, the Barons decided the cause in favour of the vicar, and ordered the plaintiff's bill to be dismissed.

Extract of a Letter from Winchester.

8th. "On Monday night a large body of French prisoners confined in the King's house here, found means to let themselves down into a vault in the north wing, from whence they cut a hole through the foundation of the building, and undermined the ground for some distance; and had it not been for an accident occasioned by their eagerness in getting out, in which a boy's arm was broke, and whose sudden cries instantly alarmed the centinels, it is supposed some hundreds would have got off undiscovered, but, owing to the above, only eleven made their escape."

10th. The bill for vesting in the two universities, &c. the exclusive right of printing almanacks, was read a second time; when a petition from Mr. Carnan, bookseller, was also read, praying to be heard by counsel against the said bill, which was granted; when Mr. Davenport and Mr. Er-

skine were both admitted to the bar, and on pleading the law against monopolies, and the legal determination of the courts of Chancery and Common Pleas, the bill was rejected on a division 60 to 40.

This day the following 18th. bills were passed by commission:

An act for the further relief of Protestant Dissenting Ministers and Schoolmasters.

An act to repeal so much of several acts of Parliament as prohibit the growth and produce of tobacco in Ireland, and to permit the importation of tobacco of the growth and produce of that kingdom into Great Britain, &c.

An act for granting a bounty upon the importation into this kingdom of hemp, of the growth of Ireland, for a limited time.

An act for granting a drawback of the duties imposed by an act of the last session of Parliament upon all foreign wines exported from Great Britain to any British colony in America, or to any British settlement in the East-Indies.

An act to enable the Chancellor and Council of the Duchy of Lancaster to sell and dispose of certain fee farm rents, and other rents, &c.

An act for altering the times of holding the Martinmas and Candlemas terms in the Court of Exchequer in Scotland.

An act for better securing the duties on starch.

And to several road, inclosure, and other bills.

This morning the Knights Elect of the Bath assembled 19th. in the Prince's Chamber, Westminster. About half past eleven o'clock

6 o'clock the procession began to the Abbey, after walking round which they entered Henry the Seventh's chapel, where they were installed with the usual formality.

The Knights installed were Sir Robert Gunning, Bart. Sir James Adolphus Oughton, R. H. Sir John Blaquiere, Sir George Howard, R. H. Sir John Irwine, Sir William Gordon, Sir William Howe, Sir Guy Carleton, Sir Edward Hughes, Sir Henry Clinton, Sir Hector Munro, Sir James Harris, and the Earl of Antrim.

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His Royal Highness Prince Frederick sat as Great Master, and did the business with ease and wonderful propriety.

A gallery was erected over the door of the chapel, in which the Prince of Wales, with two of the Princes his brothers, the Duke of Montagu, &c. sat to see the ceremony.

The Queen, and others of the royal children, were placed in a gallery built for that purpose, near the great western door of the Abbey, from whence they had a full view of the procession through the Abbey to and from the chapel.

The whole ceremony was finished by half after two, and in the evening a grand ball was given by the knights who were installed, at the King's Theatre in the Haymarket, at which upwards of 1000 of the nobility and gentry were present.

This day James Mathison was tried at the Old Bailey, for a forgery upon the Bank of England.—There perhaps

never appeared in any court of justice so capital, nor so ingenious a man in his stile as this prisoner. He has reigned longer in his villainy, and has executed it with more dexterity than any that probably ever preceded him. His practice for some time past had been to go to the Bank, and take out a note :—this he counterfeited, passed the copy, and after some time returned the original again. The frequency of his applications at last however excited suspicions, which, added to some other circumstances, arising from his appearance and figure in life, he was taken up. On his apprehension, he denied the accusation, called himself a watch-maker, and said he lived by the honest exercise of his employment ; but when he was brought before Sir John Fielding, he was there known to be the person who had been charged with forgeries upon the Bank at Dartington ; and being told there, that his name was Mathison, and not Mathews, as he had given out, he immediately lost all confidence, and taking it for granted that there were circumstances already discovered entirely sufficient for his conviction ; he said, it was needless to conceal any thing then, and gave an ample information of his various frauds, and his mode of carrying them into execution. The particular forgery on which he was charged to-day, was, for uttering a twenty-pound bank note, Bank of England, at Coventry. The note was produced in Court, and witnesses were brought to prove its having been negotiated by him. This fact being established, the next circumstance in consideration was, to

prove that the note was absolutely a counterfeit one. This his prosecutors were totally unable to do, by any testimony they could adduce, so minutely, and so dexterously had he feigned all the different marks. The note itself was not only so made as to make it altogether impossible for any human optic to perceive a difference, but the very hands of the cashier and the entering clerk were also so counterfeited, as entirely to preclude a positive discrimination, even by these men themselves. The water mark too, namely, Bank of England, which the bankers have considered as an infallible criterion of fair notes, a mark which could not be resembled by any possible means, was also so hit off by this man, as to make it not in the power of the most exact observer to perceive a difference. Several paper-makers were of opinion that this mark must have been put on in the making of the paper, but Mathison declared that he put it on afterwards by a method peculiar to himself, and known only to himself.—The extreme similitude of the fair and false notes had such an effect upon the Judge and Jury, that the prisoner would certainly have been discharged for want of evidence to prove the counterfeit, if his own information, taken at Fielding's, had not been produced against him, which immediately turned the scale against him, and he was found guilty.

This day the sessions ended at the Old Bailey, when five convicts received judgment of death; twelve were sentenced to hard labour on the river Thames; thirteen were ordered to hard la-

bour in the houses of correction, several of whom were branded; four were ordered to be whipped; and sixteen discharged by proclamation.

A respite during his Majesty's pleasure was sent to Newgate for William Walker, a prisoner under sentence of death for burglary in the house of James Penticrofs.

Also a respite, until the 16th of June, was sent to the same jail for Capt. James Major, a prisoner under the like sentence, for writing an incendiary letter to Sir William Musgrave.

Sir Thomas Clavering, 22d. Gen. Johnstone, and Miss Maria Clavering, niece to Sir Thomas, attended the quarter-sessions at Hicks's-hall, to prosecute the articles of the peace exhibited the day before against John Craggs, Esq; late a lieutenant in the East-India Company's service, on behalf of Miss Clavering. By the articles, it appeared that Miss Clavering lived in Orchard-street, Oxford-street, with her uncle; that for three months past the lieutenant had followed and pursued her with such an unwarrantable attachment and affection, as justly alarmed the fears of Miss Clavering; that on the 12th of May he wrote her a letter, in which, among other terrifying expressions, he made use of the following words:

"There is no distraction of mind equal to that I suffer for you. Go where you will, I will follow you, which may be attended with consequences too fatal to mention here; and as for myself, I have nothing but my life to lose." Miss Clavering also declared, that she did not exhibit the articles from malice

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The bill for raising 1,500,000. by loans, and the bill for raising 1,900,000. by Exchequer bills.

And Bromfield's, Sealy's, and Sewell's divorce bills.

Lately was deposited in the library of the University of Edinburgh a cabinet of medals, presented by Princess Dashaw, Countess of Woronzow; containing, 1. A series of the Sovereigns of Russia, from the Grand Duke Rurick, who reigned at Novogrod, A.D. 862, to the Empress Elizabeth, who was placed on the throne, A.D. 1741. 2. The medallic history of Russia, in a series of medals struck in commemoration of the great events which have happened in that empire from the birth of Peter the Great, A.D. 1672, to the birth of Alexander, son of the present Grand Duke, A.D. 1777. 3. Medals struck under different Sovereigns, in honour of illustrious persons, who had distinguished themselves in the service of their country. All the medals in this collection are of exquisite workmanship. Several of them finished by Russian artists; and, in elegance of design, as well as execution, not inferior to the medals of any nation in Europe.

Sixteen sailors, lately tried at Ipswich for the murder of a publican, at whose house they went to impress a man, and ~~their~~ *case* found *special*, were brought before the Court of King's-bench, to receive the final decision of that court; when, on some defect in the verdict in not fixing the murder on any one in particular, the

[O] 4 whole

whole were judged innocent, and consequently discharged.

18th. Mr. Beacroft, in behalf of a great number of prisoners in the King's-bench, presented a petition to the court, with an affidavit annexed, praying their lordships interference and support, against several complaints therein stated, and ill treatment they have received from a number of associated prisoners, who had, in opposition to all law, in defiance of the marshal's power, and contrary to all ideas of honesty and humanity, erected themselves into a kind of tribunal, disposed of the property, and inflicted corporal punishment on all who refused to comply with their violent and unjust commands.

Mr. Beacroft said, that a Capt. Philips and a Mr. Chillingworth had fashioned a Court of King's-bench within the walls of the prison, and that the former stiled himself marshal, the latter his deputy. That, assisted by about 80 more, they issued precepts, summonses, orders, decrees, executions, &c. against the persons and property of prisoners, and committed many flagrant acts of oppression and injustice, which Mr. Beacroft observed did not call for any particular motion, but might be submitted in the gross to the wisdom and humanity of the court. The petition and affidavit were read, which formed nine different complaints to the court. That there were only 140 rooms in the prison, and near 600 prisoners; that they were dispossessed of their rooms, at the will and discretion of the above court; that their property was also seized on and disposed of as that court

thought fit: that the actual marshal of the King's-bench had not visited the bench above three times in the last year; that the above court consisted of prisoners, who had long been intitled to their discharges: that they refused to go out, because in that case they would be obliged to give up their property to their just creditors: that that court by their oppressions and extortions had even raised the price of rooms from 50l. to 70l. per annum: that they claimed them by seniority, and let rooms out, not chusing to live in them on that account: that numbers of them had been long supersedable, or intitled to their discharges under insolvent acts and lords acts: and lastly, that such was the violence and enormities committed by them, that it was dangerous to oppose or refuse to obey, and therefore prayed the court's interposition. This complaint Lord Mansfield said called for immediate redress, but in doing that he confessed himself at a loss how to steer, as in doing justice to the distressed prisoner, he might injure the creditor, who equally called for his attention. The court were forming several resolutions thereon, which seemed to militate against its own intention, such as discharging those intitled to their discharges, &c. when Mr. Dunning framed the following order of court, 'that every prisoner who had been supersedable six months, and who had not been superseded, should be discharged immediately, unless such prisoner should be charged with a fresh action, and that then he should lose the benefit of his seniority.' This fully met the intention of the court, and Lord

Lord Mansfield said he saw the wisdom of it, as many prisoners intitled to their discharges would procure friendly actions to keep them in prison, merely for the sake of holding the rooms, which this order would effectually stop. The court also came to another resolution, which was, that every prisoner should inhabit the room he held; and lastly, that Capt. Philips be brought up on Monday next, as the head of the association, to answer personally for the violence and outrages committed on distressed and injured prisoners, by him and his desperadoes; by the first order near 100 prisoners will be discharged, and new ones obtain rooms on moderate terms.

22d. Yesterday, pursuant to an order of the Court of King's-bench, on Friday last, Capt. Thomas Philips was brought up a prisoner from the King's-bench prison, touching the Court of King's-bench within the prison, of which court Captain Philips acted as Lord Chief Justice, and of whom complaint had been then made, as guilty of many acts of oppression to his fellow prisoners, in his assumed character, Captain Philips, in his affidavit, stated, that the court was formed before he became a prisoner; that soon after his confinement, he was unanimously elected Lord Chief Justice, and that the court was not of his substituting, but committed to his presidency. That the court was highly serviceable to the community, preventing confusion and disorder, and enforcing regularity.

Mr. Beacroft, counsel for the petitioning prisoners, the foremost of whom is a master smith, made

no observation to the court on the alledged offence or open defence, but moved, "That as the Lord Chief Justice of the King's-bench prison, stood charged in execution as a prisoner at the suit of the crown (for smuggling), and as there were also several detainees lodged against him as well for criminal as civil matters, he be removed from the seat of his jurisdiction, to the New Jail in the Borough." Lord Mansfield recapitulated his former abhorrence of the illegal and oppressive measures of that self-created court, declared, that if it was continued, the members thereof should be proceeded against with the highest severity; and as an example, ordered his brother Justice to be instantly carried to the confined purlieu of the New Jail. His lordship mentioned also, that one hundred prisoners were, on examination, found to be dischargeable, and who were voluntary prisoners, in the benefit of letting out rooms, and for the convenience of smuggling, of which number was the Lord Chief Justice Philips, and that a very considerable seizure had been made on Saturday last. Mr. Philips was immediately put into a coach, and carried to his new lodgings.

This day was held a 24th. Common Hall at Guild-hall, for the choice of such officers belonging to the corporation as are annually elected on this day. As soon as the common cryer had opened the court, Mr. Alderman Townsend came forward with a letter in his hand, which he said he had received from Mr. Oliver, one of the representatives in Parliament for this city, which with their leave he would read.

The

216] ANNUAL REGISTER, 1779.

The purport of it was, that being obliged to sail for the West Indies sooner than he expected, he begged Mr. Townsend would acquaint the livery of his intention to resign his seat in the House of Commons, but would not accept of a place from the crown to vacate it, till such time as he had their concurrence, and therefore desired him, at the first Common Hall that was called, to acquaint the livery thereof, and not make the intention known till that time, lest any advantages might be taken of it;—that their determination might be sent him, and his answer received time enough to choose a member in his room before the next session.

The above was received with great applause, Mr. Townsend assuring the livery that Mr. Oliver knew he would not make any bad use of the prior knowledge of the intended vacancy, as he did not intend to offer himself as a candidate.

The election for sheriffs then came on, when the several aldermen that had not served that office were called over, viz. Mess. Kirkman, Wooldridge, Wright, Pugh, and Sainbury; the first of these had a great number of hands, the second was hissed immoderately. Mess. Wright and Pugh had almost all the hands up; and Mr. Sainbury was very much clapped.

Messrs. Mackreth and Taylor, who had been drank to by the mayors, and Messrs. Watson and Bloxam, proposed by the livery, were put up, and were received with clapping of hands; on which the election was declared in favour of Mess. Pugh and Wright; but a poll was demanded for Mr.

Kirkman, which was withdrawn by his own desire, in a handsome speech. The rest of the officers were re-chosen; and a new ale-conner elected.

DIED. Sir John Delafont, Kt., aged 96, Clerk Controller of the kitchen to George I.

At Mile-end, Mrs. M. Grimes, aged 106.

William Kenrick, LL.D. a gentleman well known in the literary world.

Lately, at Uttoxeter, Miss Nangle: about two months since, while diverting herself with a spying-glass, the rays of the sun set fire to her clothes, and burnt her so as to occasion her death.

J U L Y.

An action brought by Sir Alex. Leith, Bart. against Mr. Pope for false imprisonment, and a malicious prosecution for a pretended felony (which was tried at the Old Bailey, and the plaintiff in this action honourably acquitted), was tried before Sir William De Grey at Guildhall, and a verdict of 10,000*l.* damages given to the plaintiff.

Vienna, June 26. This capital was greatly alarmed this morning, about nine o'clock, by the blowing up of a large powder magazine in the out-skirts of one of the suburbs, in which about forty artillery-men were employed in filling cartridges, whereby many lives were lost. The roofs of many houses in the adjoining suburb were considerably damaged; and it is feared that numbers of people may have been maimed or destroyed.

destroyed. Prince Charles Lichtenstein, the governor of the town, went immediately to the fort, and all possible assistance was given. The Emperor himself arrived from Laxenbourg with the utmost expedition; and, by his Imperial Majesty's orders, all means were used to give the speediest relief to the surviving sufferers.

His Majesty went to the 3d. House of Peers, and gave the royal assent to,

An act for removing certain difficulties with respect to the more speedy and effectual manning of his Majesty's navy, for a limited time.

An act for augmenting the militia. And to one private bill.

Two hundred and twenty-two bills received the royal assent, which is the greatest number known in one session for many years.

A proclamation was issued, 9th. charging all officers civil and military, in case of an invasion, to cause all horses, oxen, and cattle and provisions, to be driven from the sea coast to places of security, that the same may not fall into the hands of the enemy.

Cunningham, who distinguished himself at the beginning of the American troubles, and who took the Dutch mail, was brought prisoner to Falmouth in the Grantham packet from New York, and lodged in the castle there.

The sessions at the Old 10th. Bailey, which began on Wednesday, ended, when the seven following received sentence of death. James Barret, for a rape; Tho. Rickets, for house-breaking; Mich. Brannon, and Martin Gal-

lavan, for a highway robbery; Lucy Johnson, (a black), for a robbery in a house of ill fame; Rt. Roberts, Wm. M'Kenzie, for stealing a horse, and Pat. Doyle for being an accessory before the fact.

The same day was tried at the Old Bailey, an indictment brought by a butcher in Whitechapel against a young gentleman of the clever, for publishing a libellous ballad, reflecting in the grossest manner on the chastity of the prosecutor's daughter, to whom the defendant paid his addresses, which not meeting with success, he in revenge made a song, that in direct terms charged the object of his affections with being a strumpet. He employed a man to sing this curious ditty in the open market. The father, being informed of the author, went to him, and was answered, 'What, does the cap fit you? then you may wear it.'—The daughter was now become the sport of the market, and her lover even pointed her out to a throng of spectators, who joined in the ridicule. Mr. Howarth opened the prosecution very gravely; he allowed that the song was so ridiculously laughable, that the jury had a right to exercise their risible features; but when that spirit of humour had subsided, they must agree with him, that it was a case that called for the most serious consideration; the peace of a family, the reputation of a virtuous woman, had been scandalously defamed by the malicious and meditated contrivance of the defendant. Mr. Morgan, on the other side, kept the court in a roar of laughter, by a speech excellently con-

220] ANNUAL REGISTER, 1779.

contrasted to that of Mr. Howarth; but the attempt to turn the whole case into a trifling, unguarded step of his client, failed, as the Recorder, in his charge, considered it in an alarming point of view, as a preconcerted scheme to ruin the young woman, and destroy the happiness of the family. He was found guilty, paid 20*l.* costs of the prosecution, asked pardon in court, and agreed to recant his reflections in the public prints.

Last week was tried in 14th. the Court of King's-bench, Guildhall, London, before Sir Frances Buller, and a special jury, the right of a claim set up by the city of London, to a duty of sixpence per load on hay sold in Smithfield, not the property of freemen of London. This claim was disputed by several of the inhabitants of Finchley, who set up a contrary claim to an exemption from paying the said duty. On the part of the city of London it was contended, that the corporation thereof were by immemorial custom, and royal grants, intitled to the receipt of hay-toll in Smithfield-market, from all non-freemen; and that the inhabitants of Finchley had, repeatedly, as was proved, paid the said hay-toll; to which case was added the testimony of divers old toll-gatherers, who deposed that they took the duty of all non-freemen whatever. The defendants set up a claim to an exemption granted in favour of the Bishop of London, and his men or tenants, by King John, whereby they were relieved from the payment of such duties and tolls; to which they added the testimony of divers old witnesses,

who deposed that they had some thirty, forty, or fifty years since, sold hay at Smithfield, without paying the six-pence per load, of late years demanded, and received by the collectors of duties and tolls in that market; but as it did not appear that Finchley was a manor belonging to the Bishop of London, at the time the aforesaid exemption was granted to his tenants, and as the exceptions with respect to the payment of the disputed duty were dubious, a verdict was given for the city of London.

A Register of the Weather 18th.
for Seven Days past.

N. B. It was taken in London, the instrument on an Eastern aspect, and in the shade.

FARENHEIT'S THERMOMETER.

1779	Mo. 8.	Aft. 3.	Ev. 9.	Wind.
July 11	77	81	79	N.
12	75	78	76	N.
13	76	81	79	N.
14	76	78	76	N.E.byN.
15	76	80½	78	N.E.byN.
16	75	83	74	N.E.byN.
17	70	73	71	E.

The extreme heat felt in the course of last week occasioned the above observation, the truth of which may be depended upon. In the middle column, or afternoon 3, the heat has been so great as scarcely ever to have been remembered in this climate; and as a confirmation of its intenseness, Mr. Foster, in his last published observations on the South-American islands, which are in the torrid zone, and of course under a vertical sun, directly over their heads, with no shadow, says, that the heat is generally from 80 degrees to 90; now, upon inspection of
6 the

the above column, there will be found four days out of seven above 80; on the 16th even at 83, a great height indeed for us.

On Friday last died, in the 31st year of his age, at Oxford, that king of horses, Old Mask, late the property of the Earl of Abingdon, and sire of many of the first racers ever known in this country; among which are Eclipse, Transil, Shark, Pretender, Magnolio, Leviathan, Maquerade, &c. &c.

29th. Capt. Caton, formerly master of a ship in the merchants service, but having acquired a fortune had quitted the sea, was during the course of the month forcibly seized by a press gang on the public exchange at Bristol, and carried on board a tender. He has since been released, but not before his friends had applied to the navy-board, and had moved for a habeas corpus to procure his enlargement.

DIED. One Jean Aragus, a native of the village of Laftua, in Turkey, near Ragusa, died on the 6th of March last, in the 123d year of his age, leaving descendants to the fifth generation, consisting of 160 persons, all living in the same village: he had his health to the last, was blessed with an extraordinary memory and sound judgment, and passed his last moments without pain, extending his blessing to his surrounding family. He always lived a life of labour, and walked a great deal, a very little time before his death walked a very considerable distance to mass, according to his usual custom. The employment of his early days was to conduct the caravans; he after-

wards took to farming, which he pursued with great industry, intelligence, and success; he always lived very temperately, and his known honesty and good qualities made him esteemed while living, and regretted when dead, even by the Turks themselves, who are not very apt to esteem people of a different persuasion from themselves.

AUGUST.

At Newcastle was tried, before Mr. Justice Buller, and 4th. a Special Jury, an issue directed by the Court of Exchequer, in the long contested cause between the Rector of Simonburn and the occupiers of ancient farms within that parish, relative to a claim made by the former of agistment tithe in kind. The question for the determination of the jury in this issue was, whether a modus of 1d. which Dr. Scott insisted was for Hay-tithe, did or did not extend to grafs agisted or eaten by unprofitable cattle? After a long hearing, the jury gave a verdict against the rector, upon the clearest evidence, to the entire satisfaction of the learned judge who tried the cause.

At the assizes for the county of Surry was tried, before 6th. Lord Mansfield, a cause wherein the inhabitants of Walworth were plaintiffs, and the Commissioners of Sewers defendants. The matter in question was, "Whether a house no way benefited by the Sewers, or any of the said commissioners works, had a right to be by them assessed." After very learned

222] ANNUAL REGISTER, 1779.

learned debates for upwards of three hours, the jury gave a verdict for the plaintiffs.

The deputy - recorder 13th. made the report to his Majesty in council of the seven capital convicts now under sentence of death in Newgate, when the five following were ordered for execution on Wednesday the 25th instant, viz. Michael Brannon and Martin Gallavan, alias Gallaway, Lucy Johnson, a black woman, Thomas Ricketts, and James Barrett. Johnson was afterwards reprieved, and the others executed.

The two following were respited during his Majesty's pleasure, viz. Kenneth William Williams M'Kenzie, alias William Murray, and Patrick Doyle.

This day the Duke of 20th. Northumberland, preceded by the Rev. Mr. Sellon, with many of the commissioners for pavements, and inhabitants of Clerkenwell; the artificers and workmen, with the several ensigns of their respective employments, and followed by a train of justices of the county of Middlesex, closed by Sir John Hawkins, chairman, went from Hicks's-hall to Clerkenwell-green, where his Grace laid the foundation stone of the new Court-house to be there erected in the room of Hicks's-hall. The following is a translation of the inscription placed under the stone :

" The first stone of this Session-house, erected for the use of the county of Middlesex, and for other good and necessary purposes, for the better performance of the King's service in the said county, in pursuance of an act of parliament made and passed in the 18th year of the reign of King George

the Third, was laid by the most noble and puissant Prince Hugh Duke and Earl of Northumberland, Custos Rotulorum of the said county, at the request, and in the presence of the Commissioners appointed for building the said Session-house, on Friday the 20th day of August, 1779."

The woman who set her 23d. house on fire in Warwick-lane, was examined before Alderman Pugh, at Guildhall, when it appeared that her goods were insured for 700l. though all she had in the house was not worth 60l. When she gave the alarm of fire, she thought the house past recovering, being in flames in several places; and she particularly made an outcry after a box, which she said was full of lace and other goods to the value of 300l. but when found, was full of nothing but combustibles. She had set it on fire, and the back part of it was burning, as were several other pieces of furniture in the same room. She behaved with uncommon audacity, and charged the person who was chiefly instrumental in her detection with a criminal intercourse with her maid, a Dutch girl, who could hardly speak English, and who had been with her but a few days. Circumstances were strong against her, and she was committed to gaol.

Extract of a Letter from Dublin, August 17.

" At the summer assizes for the county, and county of the city of Waterford, the High Sheriff, Grand Juries, and principal inhabitants met, for the purpose of taking into consideration the present ruinous state of the trade and manu-

manufactures, and the alarming decline in the value of the staple commodities of this kingdom; and looking upon it as an indispensable duty that they owed their country and themselves, to restrain, by every means in their power, these growing evils, they came to and signed the following resolutions, to the number of 166.

“Resolved, That we, our families, and all whom we can influence, shall, from this day, wear and make use of the manufactures of this country, and this country only, until such time as all partial restrictions on our trade, imposed by the illiberal and contracted policy of our sister kingdom, be removed: but if, in consequence of this our resolution, the manufacturers (whose interest we have more immediately under consideration) should act fraudulently, or combine to impose upon the public, we shall hold ourselves no longer bound to countenance and support them.

“Resolved, That we will not deal with any merchant or shopkeeper who shall, at any time hereafter, be detected in imposing any foreign manufacture as the manufacture of this country.”

26th. Last week a labourer, in digging for the foundation of the intended portico for the Archbishop of Canterbury's grand entrance to his Park near Lambeth church, found a trunk, to appearance like the case of a fowling-piece, when packed up for exportation, which contained the leg-bones of a man, together with a curious antique shoe; and notwithstanding the bones, after being exposed to the air, fell to dust, the shoe,

though leather, still remained perfect and intire. It is supposed by the gentlemen of the Antiquarian Society to have been the leg-bones of the Rev. Mr. Rogers, whose leg, from being loaded with a heavy chain during his imprisonment at the time of the confinement of the Bishops Hooper, Ridley, and Latimer, in the Archbishop of Canterbury's tower, near about the time of the recantation of Archbishop Cranmer, had mortified, and was cut off. This happened in the year 1555, in the reign of Queen Mary.

We have from Kingston, 28th. in Jamaica, the following account of the burning of his Majesty's ship Glasgow: it was occasioned by the carelessness of the Steward, in going down to the hold with a candle in his hand to draw rum, and the ship was intirely consumed, notwithstanding every effort was used by Captain Lloyd, his officers and crew. The Captain seeing no prospect of saving the ship, ordered the powder to be thrown overboard; to which conduct the shipping in the harbour, and even the town, owe their preservation: no lives were lost except the Master, who was snatched out of the flames miserably scorched, and died next morning on board his Majesty's brigantine Badger, in which Capt. Lloyd, his officers, and men, sailed on Thursday last for Port Royal. The inhabitants were thrown into confusion, as her broadside lay towards the town, and the guns being all loaded, went off as the fire approached them, the shot of which damaged several houses, but happily did no other execution.

SUMMER

SUMMER ASSIZES.

At Oxford, two were capitally convicted.

At Salisbury, two—one of whom was the noted highwaywoman—both were reprieved.

At Hereford, two.

At Cambridge, one—reprieved.

At Huntingdon, one—reprieved.

At Chelmsford, six—four reprieved.

At Worcester, one—reprieved.

At Stafford, three—two reprieved.

At Croydon (for Surry) six.

At the assizes for the county of Somerset, Sir William Yea, Bart. by the sentence of the Crown Judge, under three prosecutions, two for forcible entries, and the other for a very outrageous assault on his tenant's wife, was fined 100*l.* and ordered to be imprisoned in the county jail for two months.

At Bridgewater, two.

At York, four—three reprieved.

At Bury, one.

Dorchester, Durham, Newcastle, Norfolk, and Buckingham, proved maiden.

Naples, Aug. 10. On Sunday night, the 8th instant, we had the most tremendous eruption of Mount Vesuvius that can be imagined, and such as the oldest person here never experienced. For some preceding days the volcano had been very noisy and unquiet, throwing up red-hot stones, and emitting lava at times, but not freely. Between nine and ten o'clock the discharge of stones and inflamed matter from the crater increased every instant, and then burst into one complete sheet of fire, which mounted straight, and

continued in full force about 25 minutes, when it ceased abruptly. The elevation of that column of fire was at least equal to three times that of Mount Vesuvius itself, which rises upwards of three thousand seven hundred feet perpendicularly above the level of the sea. The whole cone of Vesuvius, and part of the neighbouring mountain of Somma, were soon covered with red-hot stones and liquid burning matter, which set fire to woods, houses, vineyards, &c. The great fall of this tremendous column of fire was chiefly on the country of Ottaiano, where it has destroyed the habitations of twelve thousand people, and the land is covered with a stratum of scorias and erupted matter of about the thickness of two or three feet: some of the stones that fell there weighed above an hundred pounds; and as that country, on the other side of Somma, must be (in a direct line) at least four miles from the crater of Vesuvius, the extreme height of the column of fire above mentioned seems to be confirmed.—Caccia-Bella, a hunting-seat of their Sicilian Majesties, situated between Ottaiana and Nola, is likewise destroyed, and it is feared many people have perished; but as yet no exact account of this melancholy accident is published, all being in the utmost consternation. The inhabitants of Portici, Torre del Greco, and of Torre del Annonciata, have fled; and as their situation is much nearer to the volcano than the country destroyed, they must have suffered more, had not the wind been much in their favour, and carried all the erupted matter in a contrary direction.

Yesterday

Yesterday Vesuvius was much agitated, and threw violently, but nothing in comparison of what is above related. Until the lava (which by its confinement in the bowels of the mountain occasions these horrid spasms) finds a vent, we cannot be free from the apprehensions of an earthquake, which might do great damage to this capital.

The appearance of the eruption on Sunday night was far beyond description: clouds of the blackest smoke accompanied the liquid fire that was thrown up; and from these clouds constantly issued the brightest forked lightning. The rest of the sky was free from clouds; and before the eruption it had been a clear star-light night. We are in the midst of processions; and the head of St. Januarius has been exposed, which is considered as the last resource in times of danger. We hope we shall soon see the lava break out, when all will be calm again.

Naples, Aug. 17. On Wednesday last Mount Vesuvius alarmed us again; but a quantity of lava being discharged, it is hoped this tremendous eruption is nearly at an end. The whole country, for three miles round Ottaviano, lies buried under ashes; and had that shower continued one hour longer, every inhabitant of that town must have perished under the ruins of the houses, as in the city of Pompeii, in the reign of Titus. As yet we have only heard of two lives being lost; though the destruction and desolation of the country about Ottaviano is beyond description; and the damage estimated at least to 300,000 ducats.

VOL. XXII.

DIED, Mr. Samuel Buck, aged 83, the survivor of the two ingenious brothers who first attempted and executed a series of views of monastic and other ruins in England in 400 plates.

S E P T E M B E R.

Manchester, September 3: At the last assizes at Lancaster, causes were brought against three of the principal linen-draper of this town for selling prohibited East-India silk handkerchiefs: verdicts against them all were found, without any difficulty, and they were each fined in the penalty of 200l. one-third to the King, and the other two-thirds to the prosecutors.

As a total suppression of the sale of these kind of handkerchiefs for home consumption will be of great advantage to the silk weavers, several thousands assembled together this morning with green aprons on, cockades in their hats, the colours belonging to the trade, and a number of pieces of East-India silk handkerchiefs fixed on the top of long poles; they walked through the town, the bells ringing, and at the New Cross burned the handkerchiefs.

The last arch over the 11th, new bridge at Newcastle was closed this day. The whole structure, for strength, elegance, and good workmanship, reflect much credit on the architects and builders.

From Thetford we have an account of the following singular instance of fertility: Mr. Bidwell of that town planted in his yard last October a Genuing tree, from which

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which he gathered in July nine apples; in August it blossomed again, and is at present full of fruit, some as large as Black-birds eggs. This may afford matter of curious inquiry to botanists.

A most daring and in-
15th. human murder was committed on the afternoon of this day near the eighteen mile stone, between Hoddesdon and Ware in Hertfordshire, about four o'clock, the usual hour that the stage-coaches from Hertford pass that spot. A person going to Ware about three o'clock, observed four Irish haymakers coming out of that town, and upon his return heard the groans of a person from the bottom of a pit overgrown with bushes, close to the road. On examining the place, an unfortunate creature was discovered weltering in his blood, and so shockingly bruised and mangled about the head and face, as to render any knowledge of him impossible, unless from his dress. He expired in a few minutes after he was taken up. A suspicion arose that he was one of the four men seen coming out of Ware, and that he had been murdered by his companions. A pursuit was immediately set on foot; and through the great activity of some of the inhabitants of Hoddesdon, three of the four men were taken about eight o'clock, at a private lodging-house out of the public road; and after a separate examination, in which was much variation in their accounts of themselves, and upon the oaths of very credible witnesses, who saw all four in company near the spot, they were on Thursday the 16th safely lodged in Hertford gaol, to

take their trial at the assizes—It is generally supposed that the unfortunate object of their cruelty had prudently saved more money than the rest, as his pocket was cut off, and above thirty shillings found upon one of his comrades, the other two having no apparent means of subsisting on the road.

The Dukes of Devon-
shire, with Lord and Lady 17th. Spencer, and several other persons of rank, arrived in town from Spa in Germany, but left from Ostend, on board the Fly sloop. In their passage they were attacked by two French cutters, which were beat off after a long engagement, in which several of the crew of the sloop were killed and wounded.

His Majesty in Council 18th. was this day pleased to order, that the Parliament which stands prorogued to Thursday the 16th of this instant September, should be further prorogued to Thursday the 17th of October next.

This day the sessions ended at the Old Bailey, 21st. when the ten following prisoners received sentence of death, viz. Sarah Budge, for stealing goods in the house of John Whitfield; James Lake, for robbing William Wheatley on the highway, near Nine-Elms, of a gold watch, half a guinea, &c.; Thomas King, a soldier, for stealing a quantity of plate in the dwelling-house of Robert Anderson, a publican of Shadwell, upon whom he was quartered; Jeremiah Hetherley, for stealing five hats in the shop of Richard Burton and William Busby; Margaret Creamer, for robbing John Scarlet of two guineas, three shillings, and a pocket book,

book, on Saltpetre-Bank; William Chamberlayne, for stealing out of a letter in the General Post-Office, in Lombard-street, directed to William Cunningham, Esq; Christ Church, Oxford, a certain promissory note of Thomas Hammersley, for the partners of the Exchange Banking Company and Self, for the payment of 10l. to William Cunningham or order, on demand; on his arraignment he pleaded guilty; John Pears, for stealing a mare, verdict found special; Mary Jones, alias Wood, for stealing divers linen-drapery goods, the property of William Jones, in his shop in Oxford-street; Isabella, the wife of Thomas Condon, and John Field, for coining and counterfeiting shillings; nine were ordered to be kept to hard labour in raising sand, &c. on the Thames; twelve to be imprisoned in Newgate; and nine to be kept to hard labour in the house of correction.

Philip Kiernan was convicted of feloniously killing and slaying Thomas Greaves, a porter in Gray's-Inn, in a quarrel; fined one shilling, and discharged.

William Atkins and George Wells, two watchmen, were convicted of killing and slaying Thomas Hughes, who having made some disturbance in a public-house in George-street, was by the landlord put into their charge, in order to be sent to the watch-house, in the way to which being very unruly, on his arrival there he was put into confinement in a room, where in a little time after he was found dead.

Mary Adey, alias Lloyd, alias Farmillo, was tried on an indictment, for the murder of William

Barnet, by stabbing him in the breast with a knife, on his entering with others the apartment of one Farmillo, with whom she cohabited, and, as she thought, with intent to impress him. The Jury found the verdict special, and she is referred for the opinion of the Judges.

Miss Elizabeth Watkins, tried for the murder of her natural child, was acquitted.

Among those convicted of felonies was one Richard Mealing, for receiving a quantity of brass patterns and shuff, the property of Job Cox, and James Penticross; and immediately on his receiving sentence to be kept to hard labour on the Thames for seven years, he drew a penknife unperceived, and in the face of the whole court plunged the same a little on one side the throat, somewhat above the collar bone, and worked the same about for some seconds before it was known what he was doing, when the knife was wrenched from him; though the wound was terrible, the blade being above three inches long, and he stabbed as far as the handle, it is said not to be dangerous.

Thomas Wright, Esq; 28th. Alderman and Stationer, and Evan Pugh, Esq; Alderman and Skinner, were sworn into the office of Sheriffs of this city, and sheriffs of the county of Middlesex, for the year ensuing, at Guildhall.

The same day Brackley Kennett, Esq; was chosen Lord Mayor of this city.

Rome, Sept. 29. Yesterday, at seven in the morning, the lightning set fire to the magazine of powder in the citadel of Civita-
[P] 2 Vecchia.

Vecchia.—The roof of the palace of the Governor was blown in the air, the walls rent, the Mount of Piety overturned and destroyed, and all the churches and houses in the neighbourhood damaged.

The celebrated collection of pictures at Houghton, was lately sold to the Empress of Russia, and was shipped at the port of Lynn in the course of this month.

The **Sandie Incas**, Don 30th. Redolfo, a Spanish man of war from the *Manillas* to Cadiz, laden with gold, silver, silk, coffee, china, cochineal, indigo, &c. which was taken and carried into the *Shannon*, by the Amazon privateer of Liverpool, and the *Ranger* of Bristol, after an engagement of two hours, is supposed to be the richest prize taken since the *Mamilla* ship by Admiral Anson.

The number of prisoners of war now confined in this kingdom and Ireland, according to the latest returns, amount to 12,000, of whom 600 are Spaniards, 2200 Americans, and the remainder French; that is to say, taken in the French prizes.

DIED, John Glynn, Esq; serjeant at law, Recorder of London and Exeter, member for Middlesex, and one of the most celebrated constitutional lawyers of the age. He succeeded Baron Eyre as Recorder of London in 1772. The old salary is 180*l.* which the common council have usually made up 400*l.* The services of Mr. (now Baron) Eyre occasioned an addition of 200*l.* and those of Mr. Glynn were rewarded by increasing the salary to 1000*l.*

John Armstrong, M.D. a physician of great eminence, and not less distinguished as a poet.

At Enfield, aged 86, Benj. Bodington, Esq; formerly an eminent Turkey-merchant, and one of the survivors in the annuities granted by King William the Third, who received 1000*l.* clear yearly income; they are now reduced to three. For some years past the surplus of the interest, by the original constitution of the *ton-tine*, has been applied to the uses of government.

At Eltham, Mr. and Mrs. Gambrey, brother and sister, at the age of 96 and 93; a twin sister to the lady is left a survivor: the father of the above died a few years since in the south of France, at the age of 109.

OCTOBER.

A Court of Common Council was held, when, according 5th. to the notice inserted in the summons, the court proceeded to take into consideration the motion, That 600*l.* be the salary of the person who shall be elected recorder in the room of John Glynn, Esq; deceased, and on the question being put, it was carried unanimously in the affirmative.

A motion was made, and question put, that the salary of the late recorder be paid to Michaelmas last, the same was resolved in the affirmative.

Manchester, Oct. 9. During the course of the week several mobs have assembled in different parts of the neighbourhood, and have done much mischief by destroying the engines for carding and spinning cotton wool (without which the trade of this country could never be possibly carried on to any great

great extent). In the neighbourhood of Chorley, the mob destroyed and burned the engines and buildings erected by Mr. Arkwright at a very great expence. Two thousand, or upwards, attacked a large building near the same place, on Sunday, from which they were repulsed, two rioters killed, and eight wounded, taken prisoners; they returned strongly re-inforced on Monday, and destroyed a great number of buildings, with a vast quantity of machines for spinning cotton, &c. Sir George Saville arrived (with three companies of the York militia) while the buildings were in flames; the report of their intention to destroy the works in this town brought him here yesterday noon. At one o'clock this morning two expresses arrived, one from Wigan, another from Blackburn, entreating immediate assistance, both declaring the violence of the insurgents, and the shocking depredations yesterday at Bolton: it is thought they will be at Blackburn this morning, and at Preston by four this afternoon. Sir George ordered the drums to beat to arms at half after one, when he consulted with the military and magistrates in town, and set off at the head of three companies soon after two o'clock this morning for Chorley, that being central to this place, Blackburn, and Wigan. Captain Brown, of the 25th regiment, with 70 invalids, and Capt. Thomason, of Col. White's regiment, with about 100 young recruits, remained at Preston, and for its further security, Sir George Saville offered the justices to arm 300 of the respectable house-keepers, if they would turn out to de-

fend the town, which was immediately accepted.

In consequence of these preparations, the mob did not think it prudent to proceed to any further violences.

An order was made last term in the Court of 11th. King's-bench, that all those prisoners who were under confinement in that prison, and whose actions were superfedable, should, if they did not sue out the same before a certain day, be struck off the books, and turned out of the prison: the reason of this order was, that a number of prisoners who were in possession of rooms, remained in the prison for the purpose of letting them to advantage, by which they gained a weekly income of one pound three shillings, receiving twenty-four shillings, and paying only one shilling to the marshal for his rent. As there were not rooms for those debtors who were obliged to be in prison, the court thought it a hardship, and on Thursday their order was put in execution, when near 100 were discharged for the above reason, to the great joy and comfort of the prisoners, who now will get habitations for one shilling per week for which they had paid twenty-four.

This day the contest for the office of recorder of this 12th. city was determined in the court of aldermen, by a majority of one in favour of Mr. Serjeant Adair; for that gentleman there were 13, for Mr. Howarth 12. The only absentee in the court was Mr. Alderman Lee.

For Mr. Serjeant Adair.

Bridgen
Crosby

Lewes
Plomer

[P] 3

Bull

Bull	Hayley
Wilkes	Newnham
Sawbridge	Woolridge
Hallifax	Sainsbury
Kirkman	

For Mr. Howarth.

The Lord Mayor	Thomas
Alfop	Peckham
Harley	Clark
Townsend	Hart
Eldale	Wright
Kennet	Pugh

14th. Yesterday the report was made to his Majesty of the convicts under sentence of death in Newgate, when the following were ordered for execution on Wednesday the 27th inst. viz. Isabella Condon, for feloniously and traiterously making, coining, and counterfeiting the current silver coin of this realm called sixpences; John Field, for feloniously and traiterously making, coining, and counterfeiting the current silver coin of this realm called shillings and sixpences; William Chamberlain, for stealing out of a letter which came to his possession as a sorter of letters in the General Post-office, Lombard-street, a promissory note for payment of 10l. to William Cunningham, Esq; or order; Margaret Creamer, for feloniously assaulting John Scarlet on the highway at Saltpetre-bank, and robbing him of two guineas and other money; Sarah Budge, for stealing in the dwelling-house of John Whitefield, goods, value 40s. and upwards; Thomas King, for stealing in the dwelling-house of Robert Anderson, a quantity of silver plate and other things, value 40s. and upwards.

The following were respited: James Lake, for feloniously as-

saulting William Wheately on the highway near the Nine-Elms-turn-pike, and robbing him of a gold watch and some money; Jeremiah Hetherley, for privately stealing in the shop of Messrs. Burton and Busby, three hats, value 5s. and upwards; Mary Jones, alias Wood, for privately stealing in the shop of William Jones, in Oxford-street, goods, value 4l. and upwards.

Dunwich, in Suffolk, Oct. 19. The violent blowing weather we have had for several days has done a great deal of damage amongst the shipping on our coast; every tide presents to our view a melancholy scene of dead bodies, and pieces of wrecks thrown on the sands. It likewise did great havock on shore, blowing down rows of large trees, barns, outhouses, &c. and unroofed dwelling-houses; in short, the damage done amounts to many thousands of pounds. A man, his wife, and several children, were buried under the ruins of a house, and all killed.

Extract of a Letter from Edinburgh, October 8.

‘ This morning a mutiny among the Western Fencibles, broke out here. Part of those who were in the Castle drew up the bridge and excluded their officers, while another party at Leith threw away their fire-arms, and drew their swords, threatening death to all who came near them. The mutiny it seems was occasioned by Lord Frederick Campbell’s having purchased at London, purfes for his regiment, which constitute a part of the Highland dress, and on receiving the arrears 3s. 6d. was stopped from each man for his purse, at which the men were greatly

greatly dissatisfied, saying they could purchase them for 1s. 8d. a piece. Lord Frederick very prudently told them, that he would give them their purses at 1s. each, and take the loss upon himself: but this did not pacify them; they continued mutinous, and the whole town was in an uproar. Six of the ringleaders were taken into custody, and a body of dragoons surrounded the rest. Being satisfied with respect to their purses, another mutiny was discovered, several of them absolutely refusing to carry cartouch-boxes, which must have rendered them quite useless as soldiers. On this the officers marched the whole body down to Leith, as on an ordinary field day, without cartouch-boxes, and on their arrival in the Links, to their surprise, they found a complete regiment of dragoons drawn up there, without the knowledge of any one but the commanding officer. The cartouch-boxes being sent after them in a cart, the men were ordered immediately to put them on, which they were compelled to do. Five of the leaders of this riot were immediately surrounded, tried by a Court-martial, and most severely whipped; after which the regiment was divided into different bodies, and sent to Dundee, Dunbar, and other places, in order to keep them separate. Three companies which were left in the Castle as a guard, hearing how their companions had suffered, seized the Castle-gates, drew up the bridge, and threatened the governor; upon which the dragoons immediately marched to Edinburgh, and two companies dismounting, proceeded to the Castle, which they found had been opened,

and marched in. One of the Highlanders made a stroke at one of the officers, who instantly knocked him down, and forced his way through, so that all those men were taken prisoners; several of them, it is imagined, will suffer. The dragoons still keep guard in the Castle.

Last week the Laboratory at Woolwich blew up by accident, but fortunately no lives were lost.

At a court of aldermen at Guildhall, the recorder was requested to wait on the Rt. Hon. Lord Weymouth, one of his Majesty's Principal Secretaries of State, praying his lordship to represent to his Majesty, in the name of that honourable court, that the members of that body, understanding the royal clemency had been extended to Grant, Jonquay, Ellis, Jones, and Barrington, who were convicted in September sessions, at Guildhall, of an outrageous assault on the marshals and several other officers of this city, they humbly conceive the mercy of the Sovereign would be converted into dangerous consequences to this city, and therefore begged the pardon to be restrained to a service in India or other foreign parts. The court ordered the recorder to present the said address to his lordship, who was pleased to answer the court's memorial by saying, that the sentence should be altered so far as was entirely agreeable to the city's request.

Coxbeath. On Friday night last, a corporal and six men were planted at Mr. Collins's house (information having been given at the general's, that for several nights past an attempt had been made to break open his house); about half past eleven three men attempted

to force the outer front door; the guard went out privately at the back door, and came on them suddenly (just as they had opened the inner door and entered the house) and in securing them, the corporal received a ball from a pistol, which shot him dead; they were soon overpowered (but not till two of them were desperately wounded) and conducted to the camp. They prove to be three privates belonging to the Gloucester, and were immediately given over to the Captain Provost, till the coroner sits on the body of the deceased corporal, when they will be delivered over to the civil law.

The Court of Directors 28th. of the Royal Exchange Assurance Company have generously voted a piece of plate, value one hundred guineas, to be presented to Captain Pearson of the *Serapis*, as a testimony of their approbation of his bravery and conduct in protecting the valuable fleet from the *Baltic* under his care,

They also voted a piece of plate, value fifty guineas, to Capt. Piercy, of the Countess of Scarborough, with the same compliment.

Capt. Drew, from London to Quebec, was run down by the *Russel* man of war (who a few months ago run down the London *East-Indiaman*) in the night, in a gale of wind, and all the crew perished.

Lisbon, Oct. 16. The Marquis de Pombal, late Prime Minister of State, who, during the present reign, has been a continual object of persecution and hatred, is at last condemned to perpetual imprisonment. Two members of the council were for taking his life; but her Majesty, hearkening only to her natural clemency, mitigated

his punishment. This is probably the last time that this Minister will be heard of till his death.

DIED, in the county of Glamorgan, Mr. Fluellyn Pryce, aged 101, whose organs had been so little affected by the weight of years, that within these three years he directed a village-group of fingers in some variations for the Sunday. He had never used spectacles till within fifteen months of his dissolution, and possessed a great flow of spirits, attended with sound health and activity; which blessings were the result of his abstemious manner of living.

At his house on Four-tree Hill, Enfield, William Bridgen, Esq; upwards of 70, Alderman of Farringdon Within.

NOVEMBER.

The corporation of Kingston upon Hull, have voted the 3d. freedom of that place to Captain Richard Pierfon, and Capt. Thomas Piercy, late of his Majesty's ships *Serapis* and Countess of Scarborough, for their gallant and brave conduct in the engagement with the squadron under the command of Paul Jones.

Extract of a Letter from Dartmouth,

"The following is an exact 6th. account of the cargo of the Spanish ship the *N. S. de Piedat*, taken by the Dart privateer of this port, and now safe in our harbour; she is upwards of 600 tons burthen, has been built seven years, mounts 16 carriage guns, had 70 men, was fitted up for close quarters, and yet struck to the Dart, after firing only two guns, though she mounts but 14 guns four-pounders

poanders, had but 60 men, and is not 200 tons burthen;

142,117 silver dollars,
38,949 dollars in gold doubloons,
31 ingots of gold,
5 ingots of silver,
42 bales of fine beaver,
21,061 hides in the hair,
3 bales of fine wool,
1 ditto fine fur.

Exclusive of the ingots of gold and silver (the value of which is not known) the rest of the cargo, as far as it has been known by the bills of lading (though it is supposed there is more on board) amounts to 80,000l."

11th. At the quarter sessions held at Preston for the county of Lancaster, it was unanimously agreed, that the sole cause of the riots that have lately happened in that county is owing to the erection of certain engines for the manufacturing of cotton; that the erection of those engines have notwithstanding been of the greatest utility to the county by the extension and improvement of the cotton manufactory; that the destroying them in one county would only be the means of transferring them to another county; and that, if a total stop was put to the erection of them by the legislature in Great Britain, it would only tend to their establishment in foreign countries, to the great detriment of trade in this. For these reasons the court came to the resolution of transmitting to one of his Majesty's Secretaries of State a copy of their proceeding, intimating a desire at the same time that a special commission may be issued for the trial of the ringleaders now in Lancaster gaol,

A Spanish ship, of between 600 and 700 tons, 15th. laden with sugar, coffee, logwood, and hard dollars, bound from the Havannah to Cadiz, valued at 200,000l. is taken by the Antagallican privateer, and carried into Lisbon.

A remarkable trial lately happened in the Court of King's bench in Ireland. A Counsellor R—— had fought a duel with a gentleman and killed him. He traversed the indictment, and imagined the jury, as usual, would bring in their verdict man-slaughter. But the Barrister found himself mistaken—they deemed the intentions of two men going out premeditated to fight, to be malice aforethought, and to the astonishment of the court brought the prisoner in guilty—death. The judges desired them to recommend him to the Bench as an object of mercy—they did it with reluctance. This may probably put a stop to the practice of duelling in Ireland.

Extract of a Letter from Dublin, dated, Nov. 15.

"The present expectation of a free trade, or rather the dread of a disappointment, agitates every body here to a degree that you can hardly imagine. In order to compel England to grant it, the popular measure is, to grant a money-bill for six months only, instead of two years. Some of the best friends of this country, and the most sensible, seem to think this not the most effectual or eligible mode, as being too early a declaration of war, till we are refused what we ask; but they are obliged

obliged to concur, as it is the only scheme which can procure unanimity among opposition, and is so much the popular cry, that every county and town have instructed their Representatives to vote for it. This morning the mob, not choosing to wait for a parliamentary decision, took the matter into their own hands, and were of opinion, that the surest method of succeeding in their object of a free trade, was to destroy the enemies of Ireland; they therefore marked out the Attorney General, Sir Henry Cavendish, and Mr. Monk Mason, as the proper objects of their fury. About twelve o'clock they marched in a prodigious croud to Mr. Scot's, the Attorney General's house, with an intention of destroying it, but some of the patriotic leaders of this country contrived to get there, mixed among the mob, and at last persuaded them to leave it, after destroying the windows on the ground floor, and doing some small damage to the next story. They then marched to the Parliament-house, and detached a body to the four courts, who rushed in, in search of Mr. Scott, who kept out of their way, and of Sir Henry Cavendish, whom they seemed particularly anxious to find. On being disappointed, they returned to the Parliament-house, and swore all the members whom they could find going in, to be true to Ireland, and vote for a short money-bill. The lawyers corps were applied to by the lord mayor, and told, that they stood high with the people, and would probably be able to disperse them; they met, and agreed to go unarmed among them. Mr. Yelverton, who

is one of the corps, made a most excellent speech, which had great effect on them, and was wonderfully well timed; they then decoyed them away, marched them through several of the streets, and prevailed on them to disperse."

The application for a new trial lately made by Mr. Pope ^{22d.} to the Court of Common Pleas (in the cause of Sir Alexander Leith against Pope) on the plea of excessive damages, has proved fruitless, the court on Saturday last having discharged the rule.

A Common Hall was held at Guildhall for the election of a chamberlain of this city, in the room of Benjamin Hopkins, Esq; deceased. About one o'clock, the lord mayor, aldermen, recorder, &c. went upon the hustings, when the recorder came forward, and addressed the livery in a well-adapted speech, wherein he stated the peculiar privileges which were vested in the people at large by the constitution of the city, of electing their own officers, &c.

There were only two candidates, John Wilkes, Esq; and William James, Esq; each of whom addressed the livery in a short speech; after which they were put up, and the show of hands appeared five to one in favour of Mr. Wilkes, upon which he was declared duly elected; but a poll was demanded in favour of Mr. James.

The election for bridge-master in the room of the late Mr. Borwick, then came on, when there was a very great show of hands in favour of Mr. Buffar, against five other candidates; the second on the list was Mr. Betts; on which Mr. Buffar was declared duly elected; but

but a poll was demanded for two of the other candidates.

At the close of the poll 24th. at Guildhall for chamberlain, the numbers were as follows:

For Mr. Alderman Wilkes, 2332

Mr. James - 370

when Mr. James declined the poll, and Mr. Alderman Wilkes will be declared duly elected next Tuesday, chamberlain of this city for the remainder of the year.

On the close of the poll for bridge-master, the numbers were,

For Mr. Buffar - 1304

Mr. Taylor - 260

Mr. Betts - 214

The majority on the poll being so very great in favour of Mr. Buffar, Messrs. Taylor and Betts declined giving the livery any further trouble.

The printer of the General Advertiser was ordered up by the Court of King's-bench to receive judgment, for publishing seditious hand-bills expressive of joy at the acquittal of Admiral Keppel; when he was sentenced to pay a fine of 6s. 8d. and to be confined in Newgate for twelve months.

Mr. Fox having, in debate one day last week, animadverted with some degree of asperity on a particular species of argument frequently made use of by the friends of the Minister, viz. "that bad as the Ministry were, it was not certain that the nation would be at all bettered by taking their opponents;" a Mr. Adam, who had made use of that argument in the same debate, called on Mr. Fox some days after for an explanation. The following letters passed on the above occasion,

St. Alban's Tavern, Sat. four o'clock afternoon.

"Mr. Adam presents his compliments to Mr. Fox, and begs leave to represent to him, that upon considering, again and again, what had passed between them last night, it is impossible for him to have his character cleared to the public, without inserting the following paragraph in the newspapers.

"We have authority to assure the public, that in a conversation that passed between Mr. Fox and Mr. Adam, in consequence of the debate in the House of Commons on Thursday last, Mr. Fox declared, that however much his speech may have been misrepresented, he did not mean to throw any personal reflection upon Mr. Adam.

"Major Humberston does me the honour of delivering this to you, and will bring your answer."

To Hon. Charles James Fox."

"S I R,

"I am very sorry that it is utterly inconsistent with my ideas of propriety, to authorise the putting any thing into the newspapers relative to a speech which in my opinion required no explanation. You, who heard the speech, must know that it did convey no personal reflection upon you, unless you felt yourself in the predicament upon which I animadverted. The account of my speech in the newspapers is certainly incorrect, and certainly unauthorised by me; and therefore with respect to that, I have nothing to say.

"Neither the conversation that passed at Brookes's, nor this letter, are of a secret nature, and if you have any wish to relate the one, or

to

236] ANNUAL REGISTER, 1779.

to shew the other, you are perfectly at liberty so to do. I am, &c.

To — Adam, Esq."

*Chesterfield-street, half past 3,
Sunday, Nov. 28.*

"S I R,

"As you must be sensible that the speech printed in the Newspapers reflects upon me personally, and as it is from that only that the public can have their information, it is evident, that unless that is contradicted by your authority, in as public a manner as it was given, my character must be injured. Your refusal to do this, entitles me to presume that you approve of the manner in which that speech has been given to the public, and justifies me in demanding the only satisfaction that such an injury will admit of.

"Major Humberston is empowered to settle all particulars; and the sooner this affair is brought to a conclusion, the more agreeable to me. I have the honour to be, &c.

To Hon. Charles James Fox."

In consequence of the above, the parties met, according to agreement, at eight o'clock in the morning. After the ground was measured out, at the distance of fourteen paces, Mr. Adam desired Mr. Fox to fire, to which Mr. Fox replied, "Sir, I have no quarrel with you; do you fire." Mr. Adam then fired, and wounded Mr. Fox, which we believe was not at all perceived by Mr. Adam, as it was not distinctly seen by either of ourselves. Mr. Fox fired without effect; we then interfered, asking Mr. Adam if he was satisfied? Mr. Adam replied, "Will Mr. Fox declare he meant no per-

sonal attack upon my character?" Upon which Mr. Fox said, this was no place for apologies, and desired him to go on. Mr. Adam fired his second pistol without effect; Mr. Fox fired his remaining pistol in the air, and then saying, as the affair was ended, he had no difficulty in declaring he meant no more personal affront to Mr. Adam than he did to either of the other gentlemen present, Mr. Adam replied, "Sir, you have behaved like a man of honour." Mr. Fox then mentioned, that he believed himself wounded, and, upon his opening his waistcoat, it was found it was so, but, to all appearance, slightly. The parties then separated, and Mr. Fox's wound was, on examination, found not likely to produce any dangerous consequence.

*Richard Fitzpatrick, Second
to Mr. Fox.*

*T. Mackenzie Humberston, Second
to Mr. Adam.*

A Court of Aldermen was held, principally for the purpose of declaring Mr. Wilkes duly elected Chamberlain, and to receive his proposal of securities; when Mr. Wilkes proposed Geo. Hayley and John Sawbridge, Esqrs, Aldermen, Thomas Scott, and Rene Payne, Esqrs. to be sureties in the penalty of 40,000*l.* for the due performance of the office of Chamberlain, which the Court unanimously approved of.

Petersburgh, Nov. 5. The Senate has received, from the inhabitants of Kamtschatka, advice, that, last year, about the time that the leaves, though still green, begin to fall from the trees, two large vessels arrived on their coast,

coast, one of three, and the other of two masts; that they landed some men, and behaved with great courtesy to the inhabitants, giving them presents; that the inhabitants in return offered them some whales flesh, which they refused, after smelling to it; that they could not understand any thing they said; that these vessels afterwards sailed towards the North, and touched at different parts of Kamtschatka, where the same occurrences happened as before mentioned; that they sailed out of sight towards the North, but in some days returned, and sailed to the South, since which they have not been seen.

We do not know what vessels these can have been, unless they are Capt. Cook's, who sailed from England three years ago to make discoveries, and who has not been heard of since he was at the Cape of Good Hope.

Stockholm, Nov. 15. The grand basin which has been formed at Carlscroon is reckoned one of the finest performances of the age. It contains 24 places, in which ships may not only be kept dry, but may be taken out by letting in water at any time, which may be done into any one of those places separately. The engineer who had the direction of this work is Mr. Tunberg, and he has acquired great reputation by it. He has also invented a sort of spynglass, with which one may discover the nature of the soils under water.

DIED, at Rumsey, in Hants, James Cordelon, a native of France, aged 108 years.

At Barbadoes, Mrs. Mary Pollard, aged 115 years. She was in

perfect health till within a few days of her death; could read the smallest print without spectacles, and retained her senses to the last minute.

At HammerSmith, Mrs. Bonnel, wife of — Bonnel, Esq. It is remarkable of this lady, that she was a mother at 16, a grandmother at 35, and had 17 children in the course of 11 years and a half.

D E C E M B E R.

Mary Howard, a hawker of ballads, went voluntarily before the mayor of Kingston, and made oath, that she and one Isaac Jones, a pedlar, were the persons who murdered Mr. and Mrs. Cheney on the 11th of December 1762, for the discovery of which murder 100l. reward was offered by the inhabitants of Hungerford, and the same by his Majesty. She said she was driven by the remorse of her own conscience to make the discovery, not from malice to the man.

John Staples, for extorting money from Tho. Harris Crosby, by threatening to charge him with an abominable crime; Timothy Fitzpatrick, for stealing money; and John Taylor, for stealing a letter, in which was a bill of exchange for 30l. were executed at Tyburn, pursuant to their sentence.

The sessions ended at the Old Baily, when the following prisoners received sentence of death, viz. John Howell, for stealing 352 silk handkerchiefs, and other goods to a considerable amount, in the dwelling-house of Mr.

Mr. Davidson, pawn-broker, in Bishopsgate-street; William Kent, for robbing Henry Otto, one of his Majesty's messengers, of his watch and money, on the highway, near Gunnersbury-lane; Hugh Mulvey, Benjamin Fetter, John Wiley, and John Woolmore, for a burglary in the dwelling-house of Mr. Farley in Coldbath-fields, and stealing some wearing apparel, &c.; nine were ordered to be kept to hard labour for the benefit of the navigation of the river Thames, four to be kept to hard labour in the House of Correction, and 13 discharged by proclamation.

Last week a Court of 12th. Common Council was held at Guildhall, to re-consider the order of the Committee appointed to consider what mark of respect is most fit to perpetuate the memory of the late Earl of Chatham; when after some debate it was agreed to erect a statue in Guildhall over the Hufings, facing Alderman Beckford's; and it is to be executed by Mr. Bacon, at an expence not exceeding 3000l.—The thanks of the Court were also voted to several Peers for their steady behaviour and spirited conduct in the House upon all occasions for the good of their country.

One evening last month, a carpenter going accidentally through the transept of Ely cathedral, saw the chamber adjoining to the lantern on fire; he got assistance, and they tore up the flaming boards, and threw them down into the octagon; and thus saved that beautiful part of the building the lantern, and possibly the whole church. The fire is supposed to

have been occasioned by the usual carelessness of plumbers who had been repairing the lead.

On Wednesday morning, the 15th, a barbarous murder was committed, in a copse at Goodwood, in Sussex, the seat of his Grace the Duke of Richmond, on the body of Thomas Hewitt, one of his Grace's grooms, by one Burnett, a poacher, in company with three others, who on the same morning had been destroying game in the above copse, and who, on meeting with the deceased and two of his Grace's park-keepers, immediately fell upon them, and besides killing the above unfortunate man, they so unmercifully beat one of the keepers, that his life was in danger for several days. Hewitt, we are informed, had thrown Burnett several successive times, and it is believed would have secured him, (as Burnett hath since acknowledged) had he not unfortunately in the scuffle fallen backward over a wheel-track, in which situation his inhuman antagonist seized him fast by the throat, and never quitted his hold till he had killed him, when the murderers immediately fled, leaving behind them some of their hats, and a bag containing three brace of pheasants. The Coroner's Inquest sat on the body of the unfortunate Hewitt, and brought in their verdict Wilful Murder; in consequence of which, two of the criminals, James Burnett and George Dilloway, who were soon afterwards apprehended and taken, were committed to Horsham gaol, to take their trial at the next assizes for the said murder. The other two offenders, Charles Dilloway and

and Daniel Shepherd, are still at large.

This day came on before 20th. Lord Mansfield, in the Court of King's Bench, Westminster, a trial on an information ordered by the House of Commons, in the course of last sessions, against Messrs. Stratton, Brook, Floyer, and Mackey, for the arrest and imprisonment of Lord Pigot, when governor of Madras. The case was ably and pathetically opened by Mr. Wedderburne, in support of the charge, and as ably answered by Mr. Dunning, in favour of the defendants. After the Judge had delivered his charge, the Jury found the defendants guilty. *See Appendix.*

His Majesty gave the royal assent to the following bills, viz. for granting a free trade to Ireland; for preventing the clandestine conveyance of sugar, &c. from America into Great Britain; for indemnifying officers of the militia who have not qualified themselves, &c.; and two private bills.

The House of Peers adjourned to the 27th of January, and the House of Commons to the 24th of the same month.

Bristol, Dec. 25. The want of a supply of American tar has given us a discovery of the utmost utility, and which will be a great saving to this country; some gentlemen of Bristol having set up works for extracting the oil out of pit-coal, used for making lampblack; this oil is also boiled down to the consistence of tar, which it exactly

resembles in colour and quality, and is with difficulty distinguished from real tar; several ships in this port have had their bottoms payed with it, and though it is found to be a more excellent preservative against the worms, it has the happy advantage of being rendered at nearly half the price of real tar; it may be also used with success in every case in which tar is employed. The oil is also boiled down to the consistence of pitch, which it is also used for, and is found an excellent succedaneum for that article. After the oil is extracted from the coal, the residuum is a very good coke.

In the account given last year of the number of ships cleared at the Custom House in the year 1777, it is to be understood of ships cleared at the Custom House, Newcastle. — We have been favoured with the following List from an obliging correspondent at that place, to whom we are also indebted for the above-mentioned correction.

Ships cleared outwards at the Custom House, Newcastle, including their repeated voyages.

	Coastwise.	Foreign.	Total.
Year 1777	— 4410	— 403	— 4813
1778	— 4140	— 285	— 4425
1779	— 3670	— 230	— 3900

From the above it appears, that 1779 has fallen short of 1778, 525 ships! — and of 1777, 913 ships!

* These numbers differ a little from those in the Register of 1778, which may arise from the different terminations of the year; — these are from 5 Jan. to 5 Jan. — and those may have been taken from 25 Dec. to 25 Dec.

DIED,

240] ANNUAL REGISTER, 1779.

DIED, in a very advanced age, and in great obscurity, at Rotherhithe, Dr. Gibbs, an excellent mathematician and musician. He died with his pen in his hand, correcting a work he was just about to publish.

Martha Cove, aged 105, one of the poor belonging to the parish of St. James's, Westminster.

A General Bill of all the Christenings and Burials from December 15, 1778, to December 14, 1779.

Christened,	Buried,
Males 8640	Males 10208
Females 8129	Females 10212

In all 16769 In all 20420
Increased in the burials this year 21.

Died under two years of age	7261
Between 2 and 5	2100
5 and 10	703
10 and 20	692
20 and 30	1392
30 and 40	1635
40 and 50	2002
50 and 60	1680
60 and 70	1427
70 and 80	1038
80 and 90	413
90 and 100	69
100	4
101	1
102	2
103	1

BIRTHS for the Year 1779.

January. The Lady of Sir John Stanley, Bart. of a son.

The Lady of Sir Martin Brown Folkes, Bart. of a daughter.

The Queen of Naples, of a princess.

The Princess of Asturias, of an Infanta, at the Pardo, Madrid.

The Princess Louisa Henrietta Carolina, spouse of his Serene Highness the Hereditary Prince of Hesse Darmstadt, of a princess.

February. The Lady of Sir James Langham, Bart. of a son.

The Countess of Roseberry, of a daughter.

23d. This morning, between three and four o'clock, the Queen was happily delivered of a Prince.

March. The Right Hon. Lady Melbourne, of a son.

April. The Lady of Sir Watkin Williams Wynne, Bart. of a daughter.

The Right Hon. the Countess of Warwick, of a son.

The Right Hon. Lady Boston, of a son.

May. The Marchioness of Granby, of a son.

The consort of the Great Duke of Russia, of a prince, who was baptized by the name of Constantine.

Lady Downe, of a son.

June. Right Hon. Lady Craven, of a son.

The Lady of Sir J. Smith, Bart. of a daughter.

July. The Right Hon. Lady Amelia Byron, of a daughter.

Right Hon. Countess of Cowper, of a son, at Florence.

August. Right Hon. Countess of Suffolk, of a son and heir.

Lady of Sir Ch. Douglass, of a son.

Right Hon. Lady Algernon Percy, of a daughter.

Right Hon. Lady Browlow, of a son.

Right

Right Hon. Lady Anne Foley, of a son.

The Duchefs of Leinster, of a daughter, in Ireland.

The Lady of Sir J. Eden, Bart. of a daughter.

September. The Great Duchefs of Tuscany, of a prince.

The Princess of Prince Ferdinand of Prussia, of a Prince.

Princess of Mecklenburgh Strelitz, of a princess.

The Duchefs of Chandos, of a daughter.

October. Lady of Sir John Taylor, Bart. of a son.

The Lady of the Hon. Francis Talbot, of a daughter.

Lady of Sir Joseph Mawbey, Bart. of a daughter.

November. The Lady of the Hon. Col. Fitzroy, of a son.

Right Hon. Countefs of Jersey, of a daughter.

The Duchefs of Chartres, of a prince.

The Archduchefs, consort to the Archduke Ferdinand, of a prince, at Milan.

The Lady of Sir Thomas Beauchamp Proctor, Bart. of a daughter, in Saville-row.

Hon. Mrs. Vanfittart, of a son.

December. Lady of Sir Thomas Fowke, Bart. of a daughter.

Lady of Sir Wm. Ashurst, of a son.

At Dublin, George Powel, Esq; to the Right Hon. Lady Anne Stratford, daughter to the late Earl of Aldborough.

February. Miss Baynton, daughter to Sir Ed. Baynton, Bart. to Andrew Stone, Esq;

Hon. Henry Vernon, 2d son to Lord Vernon, to Miss Sedley.

The Right Hon. Lady Priscilla Barbara Elizabeth Bertie, eldest sister of the Duke of Ancafter, to Peter Burrell, Esq;

March. Sir Roger Twifden, Bart. of Bradburne, to Miss Waddah, of Chatham.

The Hon. Felton Hervey, to Miss Elville, only daughter and sole heiress of Sir John Elville, Bart.

The Right Hon. Lord Viscount Gallway, to Miss Elizabeth Mathew.

The Hon. Barth. Bouverie, 3d brother to the Earl of Radnor, to Miss Arundell.

Sir William Smyth, of Hill Hall, in Essex, Bart. to Miss Windham.

Richard Wilson, Esq; of Aytone, in Ireland, to the Hon. Miss Townshend, daughter of Lady Greenwich and the late Mr. Charles Townshend, Chancellor of the Exchequer, and half-sister to his Grace the Duke of Buccleugh.

April. The Right Hon. Lord Binning, to Lady Sophia Hope.

John Hawkins, Esq; eldest son of Sir Cæsar Hawkins, Bart. to Miss Colbourne.

May. The Right Hon. Hugh Earl and Baron Percy, son and heir apparent of the Duke of Northumberland, to Miss Frances Julia Burrell, 3d daughter of the late Peter Burrell, Esq;

[2]

The

MARRIAGES, 1779.

January. The Hon. Miss Wrottesley, one of the maids of honour to her Majesty, and sister to the Duchefs of Grafton, to Colonel Gardner.

Sir John William Pole, of Shute, Bart. to Miss Templer.

VOL. XXII.

242] ANNUAL REGISTER, 1779.

The Earl of Harrington, to Miss Fleming, daughter of the late Sir Michael Fleming.

June. Right Hon. Lord Forbes, to the Right Hon. Lady Selina Rawdon.

Right Hon. Lord Cathcart, to Miss Elliot.

— Byron, Esq; Captain in the Guards, and eldest son of Admiral Byron, to Lady Amelia Conyers D'Arcy.

Anthony Chapman, Esq; to the Hon. Miss Charlotte Carey, daughter to Lord Viscount Falkland.

John James Hamilton, Esq; nephew to the Earl of Abercorn, to Miss Catherine Copley, second daughter of Sir Joseph Copley, Bart.

Capt. Duffield, to the Right Hon. Lady Eliz. Birmingham, eldest daughter of the Earl of Lowth.

Baron Nolken, Envoy from Sweden, to Mrs. Le Maitre, relict of the Hon. Mr. Justice Le Maitre.

July. The Hon. Henry Stawell Bilson Legge, son and heir to the Right Hon. Mary Baroness Stawell in her own right, to Miss Mary Curzon.

The Earl of Shelburne, to Lady Louisa Fitzpatrick, sister to the Earl of Upper Ossory.

Sir F. Vincent, Bart. to Miss Muilman.

Sir E. Lloyd, Bart. to Miss A. Yonge.

Francis Head, Esq; to Miss Maria Justina Stepney, daughter of Sir Th. Stepney, Bart.

Thomas Wiggons, Esq; to the Hon. Miss Kinnaird, daughter to the Right Hon. Lord Kinnaird.

August. William Bowles, Esq; to Miss Dinah Frankland, daughter of Sir Thomas Frankland, Bart.

Thomas Horton, Esq; to the Hon. Miss Stanley, sister to the Earl of Derby.

Rev. Sir Stephen Glynne, Bart. to Miss Bennet.

The Hon. and Rev. John Hewitt, Deane of Cloyne, and son to the Right Hon. the Lord Chancellor of Ireland, to Miss Jane More.

September. The Rev. Joseph Smith, of Wendover, to Miss Julia Bernard, youngest daughter of the late Sir Francis Bernard, Bart.

Sir John Berney, Bart. to the Hon. Miss Neville, only daughter of Lord Abergavenny.

— Butler, Esq; to the Hon. Miss Langdale, daughter of Lord Langdale.

Augustus Perkins, Esq; to Miss Warren, only sister to Sir John Borlace Warren.

Sir Robert Barker, Bart. to Miss Holloway.

Tho. Gage, Esq; son and heir of Sir Tho. Gage, Bart. to Miss Charlotte Fitzherbert.

October. John Inglish Dolben, only son of Sir William Dolben, Bart. to Miss Hallet.

November. Tho. Hanmer, Esq; eldest son of Sir Walden Hanmer, Bart. to Miss Kenyon.

Hon. Miss Sally Pratt, third daughter to Lord Camden, to Nich. Price, Esq;

Dec. Sir Richard Clayton, Bart. to Miss White.

John Honeywood, Esq; to Hon. Miss Courtney, eldest daughter of Lord Viscount Courtney.

Charles Smyth, Esq; brother to Sir William Smyth, Bart. to Miss Vandeput,

Vandeput, daughter of Sir Geo. Vandeput, Bart.

Principal PROMOTIONS for the Year 1779, from the London Gazette, &c.

Jan. Andrew Snape Hammond, Esq; to the honour of Knighthood.

Whitshed Keene, Esq; to be Surveyor of his Majesty's Works.

Feb. Earl of Farnham, Governor of the County of Cavan, in Ireland, *vice* late E. of Lanesborough.

His Grace D. of Ancafter and Kesteven,—made Ld Lieut. of the County of Lincoln, and sworn of his Majesty's most hon. Privy Council.

Gen. Sir Geo. Howard, K. B. to the command of the 1st regiment of dragoon guards, *vice* Gen. Mostyn.

The most honourable order of the Bath to James Harris, Esq; his Majesty's Envoy Extraordinary and Plenipotentiary at the Court of Petersburg.

In pursuance of the King's pleasure, the following Flag-officers of his Majesty's fleet were promoted, viz. George Mackenzie, Esq; Matthew Barton, Esq; Sir Peter Parker, Knt. Hon. Samuel Barrington, Rear Admirals of the Red; Mariot Arbuthnot, Esq; Robert Roddam, Esq; George Darby, Esq; John Campbell, Esq; Rear Admirals of the White, to be Vice Admirals of the Blue.

James Gambier, Esq; William Lloyd, Esq; Francis William Drake, Esq; Sir Edward Hughes, Knight of the Bath, Hyde Parker, Esq;

Rear Admirals of the Blue, to be Rear Admirals of the Red.

And the following captains were also appointed Flag-officers of his Majesty's fleet, viz. John Evans, Esq; Mark Milbanke, Esq; Nicholas Vincent Esq; John Storr, Esq; Sir Edward Vernon, Knight, to be Rear Admirals of the White.

Joshua Rowley, Esq; Richard Edwards, Esq; Thomas Graves, Esq; Robert Digby, Esq; Sir John Lockhart Ross, Bart. to be Rear Admirals of the Blue.

His Majesty has been pleased to appoint Major-generals William Amherst, of 32d foot, Robert Watson, Lieut. Governor of Portsmouth, Daniel Jones, of 2d foot, John Mackenzie, of the marines, John Bell, of the marines, Jordan Wren, of 41st foot, Lancelot Baugh, of 58th foot, Sir David Lindsay, Bart. of 59th foot, Henry Smith, of the marines, to be Lieutenant-generals in the army.

As likewise Colonels Spenter Cowper, Lieutenant-governor of Tinmouth, William Winyard, of 3d foot guards, Edward Mathew, of 2d foot guards, Richard Burton Phillipson, of 1st dragoons, Francis Smith, of 10th foot, Augustine Prevost, of 60th foot, James Pattison, of the artillery, John Douglas, of 2d dragoons, Hon. Alexander Leslie, of 64th foot, Samuel Cleaveland, of the artillery, Hon. Henry St. John, of 36th foot, William Thornton, of 1st foot guards, George Ogilvie, of 3d foot guards, Sir William Erskine, Knt. of 80th foot, John Campbell, of 57th foot, Sir George Osborn, Bart. of 3d foot guards, to be Major-generals in the army.

[2] 2

March.

244] ANNUAL REGISTER, 1779.

March. Martin Eden, Esq; appointed Envoy Extraordinary to the Court of Copenhagen.

Thomas Rumbold, Esq; Governor of Madras, created a Bart.

Hector Munro, Esq; Major-general of his Majesty's forces in the East-Indies, created a Knight of the Bath.

The King has been pleased to appoint John Elliot, Esq; the Hon. Robert Boyle Walsingham, and Wm. Hotham, Esq; to be Colonels of his Majesty's marine forces, in the room of Thomas Graver, Robert Digby, and Joshua Rowley, Esqrs, appointed Flag-officers of his Majesty's fleet.

The Rev. Cyril Jackson, appointed preacher to the Society of Lincoln's-inn.

April. Admiral Mann, to be one of the Lords of the Admiralty, *vice* Sir Hugh Palliser.

The Earl of Winchelsea, to be Lord Lieutenant of the County of Rutland.

Sir Henry Clinton, K. B. to be Colonel of the 7th regiment, *vice* Sir George Howard.

May. The following persons were Knighted by the King, Geo. Munro, Esq; of Poyntzfield, Cromarty; James Duff, Esq; of Kenstair, Aberdeenshire; Tho. Fowke, Esq; of Lowesby Hall, Leicestershire; Cha. Gould, Esq; of Ealing, Middlesex; and Hugh Dalrymple, Esq; of the Athol regiment of Highlanders.

The Earl of Dalhousie, appointed the King's High Commissioner to the Church of Scotland.

General Robinson, Governor of New York.

The Rev. Dr. Thomas Thurlow, Dean of Rochester, to be Bishop of Lincoln, in the room of

Dr. Green, deceased.—The Right Hon. the Earl of Antrim, to be a Knight of the Bath.

June. Rev. Dr. Jefferys, to be Canon Residentiary of St. Paul's.—Rev. Dr. Cuth, to be Dean of the Cathedral of Rochester.—Rev. Mr. Jackson, to be a Canon of the Cathedral of Christ, in the University of Oxford.—Rev. Mr. Oxflow, to be a Canon of the Cathedral of Christ, in the University of Oxford.

Sir Henry Cavendish, Bart. and John Foster, Esq; to be of his Majesty's most honourable Privy Council.

July. His Grace the Duke of Rutland, to be his Majesty's Lieut. of and for the County of Leicester; and also to be the Custos Rotulorum for the said county, in the room of the late Duke of Rutland.—Bamber Gascoyne, Esq; to be one of his Majesty's Commissioners for executing the office of Lord High Admiral of Great Britain and Ireland, in the room of Lord Charles Spencer.—Edward Gibbon, Esq; to be one of his Majesty's Commissioners for trade and plantations.—The Right Rev. Father in God James late Bishop of St. David's, to be Bishop of Gloucester, void by the death of Doctor Warburton.—John Warren, D. D. to be Bishop of St. David's.—The Right Hon. Henry Dundas, Lord Advocate of Scotland, to be keeper of his Majesty's Signet in Scotland.—Charles French, of Clogha, in the county of Galway, Esq; and Hugh Hill, of Londonderry, Esq; to be Barons of the kingdom of Ireland.—Sir W. A. Cunynghame, Bart. Clerk Comptroller of the Board of Green Cloth.

August.

Augst. Brownlow, Duke of An-
caster, to be *Ld. Lieutenant* of the
county of Lincoln.—The *Rt. Rev.*
Charles, Bishop of Cloyne, to the
Archbishopric of Cashell in Ire-
land.—Right Hon. John Lord
Viscount Mount Stuart, sworn of his
Majesty's most honourable Privy
council; and at the same time ap-
pointed Envoy Extraordinary to the
Court of Turin.—James Douglas,
Esq; appointed his Majesty's Con-
sul General at Naples.

Sept. Wm. Arnald, B. D. Can-
non of Windsor.

W. Bastard, Esq; of Kitley, De-
von, a Baronet of Great Britain.

Robert Maxwell, Esq; appoint-
ed (by patent under the great seal)
Governor of the Bahama Islands.

Prince Wm. Henry appointed
Post Captain in the navy.

Cha. Cowper, D. D. a preben-
dary of Durham.

Oct. Francis Bassett, Esq; to the
honour of a Baronet of this king-
dom.—Clement Cottrell Dormer,
Esq; to the honour of Knighthood,
and Master of the Ceremonies.—
Dr. Wynne, Chancellor of Lon-
don, *vice* Dr. Bettesworth, dec.—
Capt John Laforey, Commissioner
of the Navy at Barbadoes, and the
Leeward Islands.—Hon. Gen.
Vaughan, Governor of Fort Wil-
liam in Scotland, *vice* Gen. Bur-
goyne, resigned.—Hon. Wm. Har-
court, Col. of the 16th light dra-
goons, *vice* Gen. Burgoyne, re-
signed.—James Hare, Esq; Mini-
ster Plenipotentiary at Warsaw.

Dr. Wm. Newcome, Bishop of
Waterford, and Lismore in Ire-
land.

Dr. John Hotham, Bishop of
Ossory.

George Farmer, Esq; (eldest
son of the late George Farmer,

Commander of his Majesty's Ship
the Quebec) the dignity of a Bar-
onet of this kingdom.

Right Hon. David Viscount
Stormont, one of his Majesty's
principal Secretaries of State, *vice*
Earl of Suffolk, deceased.

Nov. The Earl of Carlisle, first
Lord Commissioner of Trade and
Plantations.

Earl Bathurst, President of the
Council, *vice* Earl Gower, re-
signed.

Earl of Hillsborough, one of his
Majesty's Principal Secretaries of
State, *vice* Lord Viscount Wey-
mouth, resigned.

Right Hon. Lord Charles Spen-
cer, to be Treasurer of his Ma-
jesty's Chamber.

Dec. Fred. North, one of the
Chamberlains of his Majesty's Ex-
chequer.

Right Hon. Lord Onslow, to be
Treasurer of his Majesty's House-
hold.

Sir Richard Worsley, Bt. Com-
ptroller of his Majesty's Household.

DEATHS, 1779.

Jan. The Right Hon. the
Countess Dowager of Buchan.

The Right Hon. the Countess
of Litchfield, aged 60.

Geo. Macartney, Esq; at Dub-
lin, the father of *Ld. Macartney*.

The Right Hon. Brinsley But-
ler, Earl of Lanesborough, Vis-
count and Baron Newtown, Governor of
the county of Cavan, and one of
his Majesty's most Hon. Privy
Council of the kingdom of Ire-
land.

Feb. Sir Everard Buckworth,
Bart.

The Right Hon. Edm. Butler.
[2] 3 Viscount

246] ANNUAL REGISTER, 1779.

Viscount Mountgarret, of the kingdom of Ireland.

The Right Hon. the Countess Cornwallis.

At the Hague, the Hon. Char. Bentinck, 3d son of the first Earl of Portland.

Sir Charles Holt, Bart.

The relict of Sir G. Oxendon, Bart.

March. Sir John Mordaunt Cope, Bart.

At Valleyfield in Scotland, Sir George Preston, Bart.

At Bath, the Right Hon. Henry Howard, Earl of Suffolk and Berkshire, Viscount Andover, Secretary of State for the Northern department, a Governor of the Charterhouse, and Knight of the Garter, His Lordship succeeded his grandfather, Henry, the late Earl, on the 21st of March, 1757, and married Maria Constantia, eldest daughter of Robert Visc. Hampden, on the 25th of May, 1764, by whom he had a daughter, who died the 21st of July, 1775; the Countess died the 7th of Feb. 1767. His Lordship married to his second wife, the sister of the Earl of Aylesford, whom he left *enceinte*, and who was afterwards delivered of a son, who only lived three days. His Lordship fell a martyr to the gout (which he seems to have had hereditary) at the very early age of 39.

Miss Mary Boyd, daughter of Sir John Boyd, Bart.

April. The Right Hon. William Stanhope, Earl of Harrington, Viscount Peterham, a General of his Majesty's forces, Colonel of the second troop of horse grenadier guards, and Comptroller of the Customs in the port of Dublin.

Richard Oakes, Esq; Under-Secretary of State for the Northern department.

The Lady of the Lord Viscount Hinchinbroke, Vice-chamberlain of his Majesty's Household.

The Right Hon. Lord King.

Lady Dowager Viscountess Montague, aged 80, relict of Anthony, late Lord Viscount Montague, and mother of the present Lord Viscount Montague.

Right Hon. Lady Augusta Anne Kearney, half sister to the Duke of Chandos.

The Right Rev. Dr. Green, Lord Bishop of Lincoln.

Right Hon. the Countess of Dundonald.

At Hill Court, Gloucestershire, aged 54, Sir John Fust, Bart. the last of the male line of that ancient Saxon family. He was lineally descended from John Fust, the celebrated artist from whom the city of Mentz contends with Harlem, for the honour of having invented the art of printing.

In Scotland, the Right Hon. Amelia Murray, Lady Sinclair, sister to the late Duke of Athol.

The only daughter of Lord Algernon Percy.

William Parry, Esq; Admiral of the Blue,

At Paris, John Earl of Traquaire, aged 81.

The relict of Sir Robert Maude, Sir Robert Lawrie, Bart. of Maxwellton.

May. The relict of Sir Wm. York.

Hon. Henry Finch, Esq; brother to the Earl of Aylesford.

Miss Alicia Knatchbull, youngest daughter of Sir Ed. Knatchbull, Bart.

Sir John Chetwode, Bart.

Hon.

Hon. Mrs. Cowper, daughter of
Ld. Viscount Townshend, relict of
the late Dean of Durham.

The Right Hon. Dowager Lady
Sandys.

The Right Rev. Dr. Michael
Cox, Archbishop of Cashel, in his
88th year. He was consecrated
Bishop of Ossory in 1743; trans-
lated to Cashel 1754.

At his house at Knightsbridge,
in the 83d year of his age, his
Grace John Duke of Rutland,
Marquis of Granby, Earl of Rut-
land, Baron Roos of Hamlake,
Trilbut, and Belvoir, Baron Man-
ners of Haddon, Knight of the
Garter, and one of his Majesty's
Privy Council. His grace mar-
ried Bridget, only daughter and
heir to Robert Sutton, Lord
Lexington; by whom he had the
following issue, viz. 1. John Mar-
quis of Granby, who died in his
father's life-time. 2. Lord Robert
Sutton, who died some years before
his said elder brother. And 3. Lord
Geo. Sutton, now living. His grace
was descended in a direct line from
the family De Albini, Lords of
Belvoir; which ancient stock hath
(in its progressive course) by its
several intermarriages, united it-
self with the families of Seymour,
Russell, Noel, Mountague, Roos,
and Plantagenet. His grace's
honours and estates descend to his
grandson Charles Marquis of Gran-
by, now Duke of Rutland, who is
the eldest son of the late illustrious
Marquis, by the Lady Frances
Seymour, daughter of Charles
Duke of Somerset.

June. Right Rev. Dr. William
Warburton, Lord Bishop of Glou-
cester.

Sir Francis Bernard, Bart. late
Governor of Massachusetts Bay.

Sir John Shaw, Bart.

Relict of Sir Thomas Mannoek,
Bart.

Sir William Wolfeley, Bart.

The youngest son of Ld. North.

July. Rt. Hon. Countess Dow-
ager of Macclesfield.

Hon. Thomas King, brother to
Lord King.

The Lady of Col. Ackland.

In Dublin, the Rt. Hon. Lady
Dowager Dillon.

Sir Alexander Parry, Bart.

In the 23d year of his age, Rob-
Bertie, Duke of Ancaster and
Kesteven, Marquis of Lindsey, Lord
Great Chamberlain of England by
inheritance, Lord Lieutenant and
Custos Rotulorum of the county of
Lincoln, and one of his Majesty's
most honourable Privy Council.
The most amiable and engaging
manners distinguished his private
life, and the expectation and hopes
of his country were raised high from
the experiment which the very
short period of his public conduct
had given. His grace succeeded
Peregrine his father in August last,
and dying unmarried, the title
goes to Lord Brownlow Bertie his
uncle. The ancient Barony of
Willoughby of Eresby, a Barony
in fee, descends to the heirs fe-
male, and as such is in abeyance
between his two sisters, coheiresses.
And the office of Lord Great
Chamberlain of England, which
devolved to the first Earl of Lind-
sey, as son and heir to his mother,
the sole heir female of the great
family of the Veres, Earls of
Oxford, descends to his grace's
eldest sister, Lady Elizabeth Bur-
rell.

August. Hon. Mrs. Cavendish.

Right Hon. George Rice, mem-
ber for Caermarthen, Lieut. and

Custos Rotulorum and Col. of militia of the said county, Treasurer of his Majesty's Chamber, and son-in-law to Earl Talbot.

Charles Mordaunt, Earl of Peterborough and Monmouth, Viscount Mordaunt of Avalon, Baron Mordaunt of Furvey, and Baron Mordaunt of Ryegate. He succeeded Charles his grandfather (the celebrated hero in Queen Anne's reign) in 1735. His Lordship was twice married; by his first Lady he had two daughters; by his second, Charles-Henry the present Earl, born May 16, 1758.

The new born son and heir of the late Earl of Suffolk, on the third day after his birth, Duke-street, Westminster; he is succeeded by his uncle the Hon. Tho. Howard.

Right Hon. Ann, Countess of Arran.

William Henry Dawson, Lord Viscount Carlow, and Baron Dawson of the kingdom of Ireland; aged 67. He was created Baron April 30, 1770, and advanced to the dignity of Viscount June 28, 1776. He married Mary, sister to the present Lord Milton; and is succeeded by John his eldest son (born August 23, 1744), member for Queen's County.

Sept. Margaret Countess Dow. of Moray, daughter of David Earl of Weymis, and mother to Francis the present Earl of Moray.

Maria Catharina Marchioness of Blandford, aged 96. This Lady (the daughter of Peter de Yong, a Burgo-master of the Province of Utrecht, and sister to Isabella Countess of Denbigh) was married April 25, 1749, to William Marquis of Blandford, and became a Dowager Aug. 24, 1731.

Sir Whistler Webster, Bart.

The Rev. Sir John Moseley, Bt.

Sir Cecil Bishop, Bart.

The Right Rev. Richard Che-nevix, Lord Bishop of Waterford.

Capt. David Roach, lineally descended from the ancient Viscounts Fermoy, of Ireland, which title he lately claimed in consequence of discovering several errors in the outlawry laid to his ancestor in the reign of Charles the First, and having proved his descent, had it reversed, and was to take his seat the ensuing Irish Session of Parliament.

The Right Hon. Richard Grenville Temple, Viscount Cobham, Earl Temple. His Lordship was thrown from his phaeton, and unhappily fractured his skull by the fall. His Lordship was Earl Temple by creation, Viscount Cobham by descent, Lord Lieut. and Custos Rotulorum of the county of Buckingham, a Knight of the Garter, and Privy Counsellor. He is succeeded in title and estate by his nephew George Nugent Grenville, one of the Tellers of the Exchequer.

The Lady of Sir Gervas Clifton, Bart. of a putrid fever, caught by constantly attending two of her sons in that disorder; the second of whom (Gervas Clifton, Esq;) died August 9.

The Right Hon. the Earl of Lincoln, aged one year and ten months, grandson of the Duke of Newcastle, and of the Earl of Hertford. The title devolves to the Right Hon. Lord Thomas Pelham Clinton, member of Parliament for the city of Westminster.

Oct. Sir Roger Twisden, Bart.

Hon. Lieut. Napier, youngest son of the late Lord Napier.

Right

Right Hon. Robert Maxwell
Earl of Farnham.

Right Hon. Lord Willoughby
of Parham, aged about 30. The
title is now extinct.

Sir William Gardiner, Bart.

The eldest son of Sir Thomas
Fowke.

Miss Mary Ridley, sister to Sir
M. W. Ridley, Bart.

Sir Thomas Head, Bart.

Sir Robert Lawley, Bart.

Nov. Right Hon. Anne, Coun-
tess of Northesk.

Sir James Dashwood, Bart.

Sir Simeon Stewart, Bart.

Right Hon. Tho. Lord Lyttel-
ton, Baron of Frankley; a Privy
Councillor; Chief Justice in Eyre
of his Majesty's forests North of
Trent; High Steward of Bewdley,
in Worcestershire, &c. His Lord-
ship was born January 30, 1744,
and succeeded his father, George
Lord Lyttelton, Aug. 22, 1773.
He took his seat in Parliament the
succeeding session, and has been
distinguished as a very eloquent
speaker. He married June 26,
1772, Apphia, daughter of Broome
Witts, Esq; of Chipping-Norton,
in Oxfordshire, and widow of Jo-
seph Peach, Esq; late Governor
of Calcutta, in the East Indies;
but dying without issue, the title
is extinct. The present represent-
ative of the family of Lyttelton,

is the Right Hon. William Henry
Lyttelton sixth son of Sir Thomas
Lyttelton, Bart, deceased, and
uncle to the late Thomas Lord
Lyttelton, created a peer of Ire-
land, July 21, by the title of Lord
Westcote, of Balamore, in the
county of Longford.

The Hon. Mrs. Hamilton,
daughter of Sir John Home, Bart.
and mother of the Countesses Mor-
ton and Selkirk, &c.

Right Hon. William Sinclair,
Earl of Caithness, and Lord Be-
riendale. He is succeeded in Ba-
rony and estate by his eldest son
John Lord Berendale, Major in
the 76th regiment, now in Ame-
rica.

Dec. Sir Thomas Samwell, Bt.

The Right Hon. Lady Cathe-
rine Noel, daughter of the late
Earl of Gainborough.

The Right Hon. Lady Seaforth.

Hon. Byssie Moleworth, young-
est son of Robert Lord Viscount
Moleworth.

The Duchess Dowager of Gor-
don.

Sir Robert Pringle, Bart.

Right Hon. Augustus John Har-
vey, Earl of Bristol, Lord Har-
vey, and a Vice Admiral of the
Blue. Dying without issue, the
title devolves to his brother the Lord
Bishop of Derry in Ireland.

PRICES OF STOCKS, FOR THE YEAR 1779.

N. B. The highest and lowest Prices which each Stock bore during the course of any Month, is put down of *pages* in that Month.

	Bank Stock	India Stock	S. Sea Stock	S. Sea old Ann.	S. Sea new Ann.	per Ct. Ind. Ann.	per Ct. Reduce.	per Ct. Conf.	per Ct. B. 1776.	per Ct. B. 1751.	per Ct. B. 1758.	per Ct. B. 1762.	Navy Bills.	Long Ann.	India Bonds	Ann. 1778.
January.	107½ 110½	130½ 142	70 —	60½ 62½	59½ 61½	5½ 58½	61 63½	60½ 62½	61 —	60½ 60½	62½ —	61½ 64	5½ 6	11½ —	1 11	4 14½
February.	109½ 110½	137½ 143	70½ —	60 —	60½ —	59 58	63½ 61	62½ 64	61½ —	60½ 60½	59½ 64	63½ 62½	5½ 8	18½ 17½	14 12	11 12
March.	115½ 114½	153½ 152½	— —	63½ 60½	59½ 60½	— —	— 64	61½ 63½	60 61½	60½ 63½	62½ 64½	— 64½	6½ 8	18½ 17½	12½ 17	— —
April.	118½ 112½	156 —	71½ —	63½ 61½	64½ 62½	59½ 58½	63½ 62½	63½ 63½	61½ 61½	61½ 61½	63½ 63½	64½ 61½	7½ 8	18½ 18½	13½ 14	12½ 12½
May.	— —	151½ —	— —	61½ —	62½ —	59½ 59½	63½ 63	63½ 60	61½ 60½	61½ 60½	63½ 62½	63½ 60½	7½ 11½	18½ 18½	15½ 15	12½ 12½
June.	106½ —	141½ —	71 —	58½ 59½	60½ 59½	56½ 57½	59 60	60½ 59½	60½ 59½	60½ 59½	62½ 59½	60½ —	11½ 10½	18½ 17½	16 12	11½ 11½
July.	109 —	138½ —	69½ —	59½ 60½	59½ 60½	57½ 58½	60 62½	59½ 61½	59½ —	60½ 59½	59½ 61½	62½ 63½	9½ 10½	17½ 18½	12 16	11½ 11½
August.	111½ 111½	139 —	— —	61½ 62½	60½ 61½	58½ 58½	62½ 62½	61½ 62½	60½ 60½	62½ 60½	61½ 60½	63½ 62½	11½ 11½	18½ 18	12 16	11½ 11½
September.	114 113½	143½ 142½	71 —	62½ 60½	61½ 60½	58½ 57½	— 61	62½ 61½	60½ 60½	62½ 60½	60½ 62½	63½ 62½	11½ —	18½ 18½	16 16	11½ 11½
October.	109½ 110½	144½ 144½	— —	60 59½	61½ 60½	57 57½	61 60½	61½ 61½	60½ 60½	60½ 61½	62½ 61½	60½ 60½	11½ 11½	18½ 18½	16 16	11½ 11½
November.	110½ 110½	144½ 144½	— —	59½ 60½	60½ 60½	57½ 57½	60½ 60½	61½ 61½	60½ 60½	60½ 61½	62½ 61½	60½ 60½	11½ 11½	18½ 18½	16 16	11½ 11½
December.	107½ 143½	— —	— —	60½ 60½	60½ 60½	57½ 57½	61½ 61½	61½ 61½	60½ 60½	60½ 61½	62½ 61½	60½ 61½	5½ 5½	18½ 18½	15 15	11½ 11½

APPENDIX to the CHRONICLE.

Abstract of the late Act for altering the Duty on Houses and Servants.

THE preamble recites, that the duties granted last session of Parliament on inhabited houses, not bearing a proper proportion to each other, and the payment being greatly evaded, the duties paid by that act are therefore repealed.

The duties now imposed, in lieu of the former, took place on the 5th of July, and are as under:

On all dwelling-houses, with the offices, courts, yards, and gardens, worth of yearly rent from 5l. to 20l. six-pence in the pound.

From 20l. to 40l. nine-pence in the pound.

From 40l. a year upwards, one shilling in the pound.

Gardens, not exceeding one acre of land, are within the limits of taxation with the house.

All shops and warehouses attached to, or communicating with dwelling-houses, are to be charged with the respective houses; excepting warehouses and buildings adjoining to wharfs, occupied by persons carrying on the business of wharfingers, whose dwelling-houses only are to be charged.

No warehouses, being distinct buildings, and not parcels of dwelling-houses, though they may have internal communications with them, are chargeable,

Houses, in which there is only a servant, or other person residing to take care of them, are not considered as inhabited.

Where houses lett in different apartments, the landlord is chargeable as the occupier.

Halls and offices belonging to persons or bodies corporate, and chargeable with other taxes or parish rates, are subject to these duties.

With regard to servants, no assessment is to be impeached for any mistake in the names of servants, provided the persons intended are servants to the persons assessed.

Persons, who have different places of residence, are to declare under their hands, when called upon, the number of servants they mean to pay for at their respective habitations; which lists are to be transmitted,

Persons making false returns of their servants are subject to a penalty of 40l.

Abstract of an Act for extending the Provisions of the Twelfth of George the First, intitled An Act to prevent frivolous and vexatious Arrests.

IT recites an act of the 12th of George the First, for preventing frivolous and vexatious arrests, and

and sets forth, that by the said act no person shall be held to special bail upon any process issued out of any superior court, where the cause of action shall not amount to the sum of ten pounds, or upwards; nor out of any inferior court, where the cause of action shall not amount to the sum of forty shillings, or upwards.

It further recites, that the power of arrest and imprisonment on mesne process, issuing out of such inferior court, where the cause of action does not amount to ten pounds, is found by experience to be attended with much oppression to great numbers of his Majesty's subjects; for remedy whereof, it enacts, that from the passing of this act, no person shall be arrested or held to special bail, upon any process issuing out of any inferior court, where the cause of action shall not amount to ten pounds, or upwards; but the like copies of process shall be served, and the like proceedings had thereupon in such inferior court, as are directed to be had, by the said recited act, in such inferior court, in all cases where the cause of action shall not amount to the sum of forty shillings.

It further enacts, that in all inferior courts (having jurisdiction to the amount of ten pounds or upwards) the like affidavit shall be made and filed of such cause of action, and the like proceedings shall be had thereupon, as are directed by the said recited act, where the cause of action amounts to the sum of forty shillings, or upwards.

It then recites, that so much of the several acts passed for the recovery of debts within certain dis-

tricts and jurisdictions as authorise the arrest and imprisonment of defendants, where the cause of action amounts to less than ten pounds, be repealed.

That, in case of final judgment obtained in any inferior court, the certificate of the Judge of such inferior court to the superior court at Westminster shall enable such superior courts to issue writs of execution to take the person and effects of the defendant out of the jurisdiction of such inferior court.

It also enacts, that on a judgment in an inferior court, where the damages are under ten pounds, before any execution shall be stayed by writ of error, the defendant shall give security to prosecute his writ of error with effect.

And then enacts, that no cause shall be removed by Habeas Corpus, unless the defendant shall enter into recognizance for payment of the debt and costs.

Abstract of the late Act passed to prevent Smuggling.

AFTER the first of August, a penalty of 300l. is laid on any master of a ship coming from abroad, having more than 100lb. of tea on board, (not being an East-India ship) or more than 100 gallons of foreign spirits in casks under 60 gallons (besides two gallons for each seaman on board.)

Foreign spirits imported from any part of Europe, in a vessel containing less than 60 gallons, are forfeited, with the ship, furniture, &c.

When any tea, coffee, or goods liable to forfeiture, is found on board

APPENDIX to the CHRONICLE. [253

board any ship coming from foreign parts, at anchor, or hovering within two leagues of the coast, the ship, if not above 200 tons, is forfeited, with her furniture, &c.

Every person who shall sell coffee, tea, cocoa-nuts, or make or sell chocolate, must paint over his door, 'dealer in coffee, &c.' on penalty of 200l.

Every importer or dealer in foreign spirits, must paint over his door, 'importer of or dealer in foreign spirits,' on penalty of 50l.

Every dealer in tea, foreign spirits, &c. who shall buy any of the said goods of any person that has not the words *aforsaid* over his door, is liable to an additional penalty of 100l.

Every person, not a dealer, who shall buy any tea, spirits, &c. of any person that has not the words *aforsaid* over his door, will forfeit 10l.

All foreign thread-lace imported after the first of August to be marked at each end at the Custom House; and persons possessed of foreign lace may have it marked at the nearest Custom House, making oath that the duties were paid.

All foreign thread-lace found in this kingdom after the first of February next, not marked, will be forfeited. And any person counterfeiting the mark, or that shall sell or have in his custody lace with a counterfeit mark, will forfeit 100l. and be adjudged to stand in the pillory two hours; and their aiders, abettors, and assistants, will be liable to the same fine and punishment.

Abstract of an Act for laying a Duty on Post-Horses, &c. which

commenced on Tuesday the 6th of July.

ON and after the 6th day of July, every person going post is to pay the duty of a penny per mile for each horse so hired to the inn-keeper, post-master, or other person letting such horses, who at the same time is to deliver to him a Stamp-office ticket, expressing the number of horses and miles he has paid for, and the day of the month: this ticket is to be left at the first turnpike the traveller comes to, otherwise the turnpike-man must not let him pass till he has paid him eighteen-pence for each horse for such his neglect, which money the turnpike-man may keep for his own use.

Every person who hires horses by the day, or for less than a day, is to pay the duty of one penny per mile for each horse to the inn-keepers, post-masters, or other person who lets the same, before they are used, provided the distance he is going is declared at the time of hiring; but if the distance is not declared, then he is to pay one shilling for each horse he hires, and is to receive likewise a Stamp-office ticket, expressing the number of horses, and having the words 'for a day' printed thereon, and is likewise to declare whether he intends to return the same day; in which case the inn-keeper, &c. is to write upon the ticket 'to return;' and if he actually does return before twelve o'clock at night, then such money is to be returned to him by the inn-keeper, post-master, or other person, who received the same.

Mem.

Mem.—This ticket for a day is to be shewn at the several turn-pikes, but is not to be left at any.

Abstract of an Act for recruiting his Majesty's Land and Sea Forces.

JUSTICES of peace, Commissioners of the land-tax, and Magistrates of corporations, in the commission of the peace, are empowered, within their several jurisdictions, to impress all able-bodied, idle, and disorderly persons, who cannot, upon examination, prove themselves to exercise some lawful trade or employment, for their support: and are to order a general search for all persons under this description. Persons convicted of running goods or smuggling, in a penalty not exceeding 40*l.* may be raised and levied in like manner, in lieu of the punishment to which they are otherwise liable: as are persons convicted of running away and leaving families chargeable on their parishes. Bailiffs-followers are left open to the powers conferred by this act, being expressly declared not to exercise an employment within the meaning of it. The men, thus enlisted, are to be free from bodily infirmities; between the ages of sixteen and fifty; if under the age of eighteen, they must be five feet three inches high; and, if above that age, five feet four inches high, without shoes.

No person, intitled to vote at an election for a Member of Parliament, is liable to be impressed either as a soldier or a seaman.

The inhabitants of every parish and township are to assist in the execution of this act; and a reward of ten shillings is to be paid for the discovery of any proper person, so that he be enlisted. Persons obstructing the powers of the act are subject to a penalty of 10*l.*

Persons impressed under this act are intitled to their discharge on demand after five years service, provided the nation be not then engaged in war; in which case they must serve during the continuance of the war.

Persons who enter voluntarily into his Majesty's service are to receive three guineas bounty money, to enter into immediate pay, are to be discharged at the end of three years, or of the war then in being, on demand; are exempted afterwards from statute duty, parish offices, and the militia service, and may set up and exercise any trade, agreeable to the statute 3 Geo. III. c. 8.

To prevent the inconvenience of impressing men during the time of harvest, labourers working at hay or corn harvest, who procure certificates from the parish where they live, which are to be furnished gratis, are thereby protected from May 25 to October 25.

This act is to remain in force until May 1, 1780; and repeals the act 18 Geo. III. cap. 53, passed last year.

Proceedings at the Trial of Admiral Keppel.

ON the 7th of January the signal was made for all the admirals

APPENDIX to the CHRONICLE [255

miral and captains of his Majesty's fleet to come on board the Britannia in Portsmouth harbour. When they were assembled, the names of the admirals and captains on board, according to their rank and seniority, were called over by George Jackson, Esq; the Judge Advocate, till a sufficient number answered to their names to compose the Court, those being passed over who had been summoned to give evidence on the trial. This being objected to by the Hon. Captain Walsingham, the Judge Advocate read the following case, and the opinion of his Majesty's Attorney and Solicitor General and Mr. Cust thereon, to the Court :

The 22nd of Geo. II. chap. 33. sect. 11. enacts, " That from and
" after the 25th day of Decem-
" ber 1749, it shall be lawful for
" the said Lord High Admiral of
" Great Britain, or the Commis-
" sioners for executing the office
" of Lord High Admiral of
" Great Britain; or the Commis-
" sioners for executing the office
" of Lord High Admiral for the
" time being, and they are here-
" by respectively authorised from
" time to time, as there shall be
" occasion, to direct any flag of-
" ficer or captain of any of his
" Majesty's ships of war, who
" shall be in any port of Great
" Britain, or Ireland, to hold
" Courts Martial in any such
" port, provided such flag officer
" or captain be the first, second,
" or third in command, in such
" port as shall be found most ex-
" pedient and for the good of his
" Majesty's service; and such flag
" officer or captain, so directed to
" hold Courts Martial, shall pre-
" side at such Court Martial;

" any thing herein contained to
" the contrary notwithstanding."

SECT. 12th. " That from and
" after the 25th of December,
" 1749, no Court Martial to be
" held or appointed by virtue of
" this present act shall consist of
" more than Thirteen, or of less
" than Five persons, to be compos-
" ed of such flag officers, captains,
" or commanders then and there pre-
" sent, as are next in seniority to the
" officer who presides at the Court
" Martial."

Notwithstanding the words in *Italic* in the *12th section*, the usage at Courts Martial has been, for officers who have given evidence at the trials, not to sit as members of the Courts; although they were senior to others who sat, and consequently would have sat as members if they had not been examined as witnesses.

The Lords Commissioners of the Admiralty having lately received a complaint in writing, charging an officer of rank in the royal navy with one of the offences specified in the Articles of War, which are created and set forth by the above-mentioned act of parliament; their Lordships have therefore thought fit to issue their order, or warrant in writing, to Admiral Sir Thomas Pye at Portsmouth, requiring him forthwith to assemble a Court Martial for the trial of the said officer. And it having been suggested to their Lordships that several officers and commanders of the King's ships at Portsmouth (who, on account of their seniority, must sit as members of the said Court Martial, if the letter of the *12th section* in the said act is conformed to) will be summoned as witnesses, either in support of the charge or in behalf of the accused,

You

You are therefore requested to advise their lordships, whether in case such senior officers should be called upon to give evidence at the trial, they may likewise sit as members of the court martial?—And also,

Whether the court can be legally held without the senior officers (who shall happen to be called upon to give evidence) in case it is necessary for their juniors to sit as members, in order to make up the number required by the statute to constitute a court?

“ The usage of the service is very material upon this case, for naval courts martial are evidently considered in the statutes concerning them, as known and established courts, consequently in matters not especially provided for, the settled course of proceedings must have great weight.—That the characters of witnesses and judges are not consistent, is very obvious; and though in the common law of England there is no challenge to a judge, yet in the only instance we know where judges were called upon to give evidence in a criminal case, [*Kelyng's Rep.* 12.] it is observed, that they sat no more during that Trial.—By a strict and literal construction of the statute of the 22d of Geo. II. chap. 33, sect. 12. neither the prosecutor, nor the prisoner, would cease to be judges.—But this construction would be absurd, and the act must from common sense admit as the usage is, that officers to whom there is a just ground of exception, or who have a just ground of excuse, shall not be in-

cluded in the number of those of whom the court is to be composed; consequently if any officer entitled by his rank to sit, is either prosecutor, party, or witness, the person next in seniority must supply his place, and the court so composed, will be legally held according to the intent of the act.

AL. WEDDERBURN.

JA. WALLACE.

F. C. CUST.”

Then the Judge Advocate read the order sent by the Lords of the Admiralty to Sir Thomas Pye, admiral of the white, to hold the court martial, dated the 31st December, 1778, signed Sandwich, T. Buller, Lisburne; and for adjourning to the Governor of Portsmouth's house.

The following members were then sworn, agreeable to act of Parliament,

President, Sir Thomas Pye, admiral of the white.

Matthew Buckle, Esq; vice-Admiral of the red,

John Montagu, Esq; vice-admiral of the red.

Marriot Arbuthnot, Esq; rear-Admiral of the white.

Robert Roddam, Esq; rear-admiral of the white.

Captains. M. Milbank

Francis Samuel Drake

Taylor Penny

John Mourtray

William Bennet

Adam Duncan

Philip Boteler

James Cranston

Then the Judge Advocate was sworn not to disclose or discover the opinion of any particular member of the court martial, unless thereunto required by act of Parliament.

The

APPENDIX to the CHRONICLE. [257

The court was then adjourned to the house of the Governor of Portsmouth, when the President desired the Judge Advocate to read the charge.

The Judge Advocate then read Sir Hugh Palliser's letter to Philip Stephens, Esq; Secretary to the Admiralty, dated London the 9th of December, 1778, desiring the Lords Commissioners of the Admiralty to order a court martial to be held for the trial of the Honourable Augustus Keppel, admiral of the blue, for misconduct and neglect of duty on the 27th and 28th of July, 1778, as mentioned in the inclosed paper containing the charges against him.

The charge was then read as follows:

A Charge of Misconduct and Neglect of Duty against the Honourable Admiral Keppel, on the 27th and 28th of July, 1778, in divers Instances undermentioned.

I. That on the morning of the 27th of July, 1778, having a fleet of thirty ships of the line under his command, and being then in the presence of a French fleet of the like number of ships of the line, the said admiral did not make the necessary preparations for fight, did not put his fleet into a line of battle, or into any order proper either for receiving or attacking an enemy of such force: but on the contrary, although his fleet was already dispersed and in disorder, he, by making the signal for several ships of the vice-admiral of the blue's division to chase to windward, increased the disorder of that part of his fleet, and the ships were in consequence more scattered than they had been before; and whilst in this disorder,

VOL. XXII.

he advanced to the enemy and made the signal for battle.

That the above conduct was the more unaccountable, as the enemy's fleet was not then in disorder, nor beaten, nor flying, but formed in a regular line of battle on that tack which approached the British fleet (all their motions plainly indicating a design to give battle), and they edged down and attacked it whilst in disorder: by this un-officer-like conduct, a general engagement was not brought on, but the other flag-officers and captains were left to engage without order or regularity, from whence great confusion ensued, some of his ships were prevented getting into action at all, others were not near enough to the enemy, and some from the confusion fired into others of the King's ships, and did them considerable damage, and the vice-admiral of the blue was left alone to engage singly and unsupported. In these instances the said Admiral Keppel negligently performed the duty imposed on him.

II. That after the van and center divisions of the British fleet passed the rear of the enemy, the admiral did not immediately tack and double upon the enemy with those two divisions, and continue the battle, nor did he collect them together at that time, and keep so near the enemy as to be in readiness to renew the battle as soon as it might be proper; but on the contrary, he stood away beyond the enemy to a great distance before he wore to stand towards them again, leaving the vice-admiral of the blue engaged with the enemy, and exposed to be cut off.

III. That after the vice-admiral of the blue had passed the last of
[R] the

the enemy's ships, and immediately wore and laid his own ship's head towards the enemy again, being then in their wake and at a little distance only, and expecting the admiral to advance with all the ships to renew the fight, the admiral did not advance for that purpose, but shortened sail, hauled down the signal for battle; nor did he at that time, or at any other time whilst standing towards the enemy, call the ships together in order to renew the attack as he might have done, particularly the vice-admiral of the red, and his division, which had received the least damage, had been the longest out of action, were ready and fit to renew it, were then to windward and could have bore down and fetched any part of the French fleet, if the signal for battle had not been hauled down, or if the said Admiral Keppel had availed himself of the signal appointed by the thirty-first article of the Fighting Instructions, by which he might have ordered those to lead who are to lead with the starboards tacks on board by a wind, which signal was applicable to the occasion for renewing the engagement with advantage after the French fleet had been beaten, their line broken, and in disorder. In these instances he did not do the utmost in his power to take, sink, burn, or destroy the French fleet, that had attacked the British fleet.

IV. That instead of advancing to renew the engagement, as in the preceding articles is alledged, and as he might and ought to have done, the admiral wore and made sail directly from the enemy, and thus he led the whole British fleet away from them, which gave them

the opportunity to rally unmolested, and to form again into a line of battle, and to stand after the British fleet: this was disgraceful to the British flag, for it had the appearance of a flight, and gave the French admiral a pretence to claim the victory, and to publish to the world that the British fleet ran away, and that he pursued it with the fleet of France, and offered it battle.

V. That on the morning of the 28th of July, 1778, when it was perceived that only three of the French fleet remained near the British, in the situation the whole had been in the night before, and that the rest were to leeward at a greater distance, not in a line of battle but in a heap, the admiral did not cause the fleet to pursue the flying enemy, nor even to chase the three ships that fled after the rest; but on the contrary, he led the British fleet another way, directly from the enemy.

By these instances of misconduct and neglect, a glorious opportunity was lost of doing a most essential service to the state, and the honour of the British navy was tarnished.

When the evidence on the part of the prosecutor (which lasted to the 30th of Jan.) was gone through, the admiral opened his defence with the following speech:

The Speech of the Honourable Augustus Keppel, before the Court Martial, in opening his Defence, Jan. the 30th, 1779.

Mr. President and Gentlemen of the Court,

I AM brought before you, after forty years service, on the charge of an officer under my command,

APPENDIX to the CHRONICLE. [259

mand, for a variety of offences, which, if true or probable, would be greatly aggravated by the means I have had, from a long experience, of knowing my duty, and by the strong motives of honour, which ought to have incited me to perform it to the very utmost extent of my ability.

Sir Hugh Palliser, an officer under my orders, conceives that I have acted very irregularly and very culpably in the engagement with the French fleet on the 27th of July last; so very irregularly, and so very faultily, that I have tarnished the lustre of the navy of England.

Possessed with this opinion, on our return to port after the action, he has a letter from the Lords of the Admiralty put into his hands, giving me, in the most explicit terms, his Majesty's approbation for a conduct, which he now affects to think, deserves the utmost disapprobation, and the severest censure; and he, with the other admirals and captains of the fleet, to whom it was likewise communicated, perfectly acquiesces in it.

With the same ill opinion of my conduct in his bosom, he goes to sea again under my command; he goes to sea under me, without having given the least vent to his thoughts, either by way of advice to myself, or of complaint to our common superiors.

He afterwards corresponds with me on terms of friendship; and in this correspondence he uses expressions, which convey a very high opinion of my disinterestedness, and of my zeal for the service.

After all this I come home; I am received by his Majesty with

the most gracious expressions of favour and esteem; and I am received in the most flattering manner by the first Lord of the Admiralty.

Several weeks past, when at length, without giving me any previous notice, the Board of Admiralty send me five articles of charge, on which they declare their intention of bringing me to my trial; these charges are brought by Sir Hugh Palliser; who nearly at the same time publicly declared, that he had taken this step from an opinion, that he himself lay under an imputation of disobedience to my orders, and that this imputation was countenanced by me. I may say, without the least hesitation, that if I should be censured on such a charge (which in this court, and with my cause, I think impossible) there is an end of all command in the navy. If every subordinate officer can set up his judgment against that of his commander in chief; and after several months of insidious silence, can call him to trial, whenever he thinks it useful for the purpose of clearing away imputations on himself, or in order to get the start of a regular charge, which he apprehends may possibly be brought on his own conduct; there can be no service.

If the charges of my accuser could be justified by his apprehensions for himself, he has taken care to prove to the court, that he had very good reason for his fears; but if these charges are to be considered as supported upon any rational ground, with regard to the nature of the offence, or any satisfactory evidence with regard to the facts, as against me; he makes

that figure, which, I trust in God, all those who attack innocence will ever make.

In your examination into that judgment, which my officer, in order to depreciate my skill and to criminate my conduct, has thought proper to set up against mine, you have very wisely, and according to the evident necessity of the case, called for the observations and sentiments of all the officers who have served in the late engagement; so far as they have been brought before you by the prosecutor, I take it for granted, you will follow the same course with those that I shall produce. If this should not be done, an accuser, (according to the practice of mine) by the use of leading questions, by putting things out of their natural order, by confounding times, and by a perplexed interrogatory concerning an infinite number of manœuvres and situations, might appear to produce a state of things directly contrary to the ideas of those who saw them with their own eyes. I am astonished, that, when an officer is accused by another of crimes, which, if true, must be apparent to a very ordinary observation and understanding, that any witness should, on being asked, refuse to declare his free sentiments of the manner in which the matters to which he deposes have appeared to him: I never wished, that any gentleman should withhold that part of his evidence from tenderness to me; what motives the accuser had for objecting to it, he knows.

The plainest and fullest speaking is best for a good cause. The manifest view and intention that

things are done with, constitute their crime or merit. The intentions are inseparably connected with the acts; and a detail of military or naval operations, wholly separated from their design, will be nonsense. The charge is read to a witness, as I apprehend, that he may discern how the facts he has seen, agree with the crimes he hears charged. Otherwise I cannot conceive why a witness is troubled with that reading. The court can hardly enter fully into the matter without such information; and the world out of our profession cannot enter into it at all. These questions I am informed are properly questions of fact; and I believe it; they are perfectly conformable to the practice of court martials; but if they were questions to mere opinion, yet the court, not the witness, is answerable for the propriety of them. Masters have been called here by the prosecutor (and the propriety not disputed) for mere opinions, concerning the effect of chasing on a lee-shore. In higher matters, higher opinions ought to have weight; if they ought, there are none more capable of giving the court information than those who are summoned here; for I believe no country ever was served by officers of more gallantry, honour, ability, and skill in their profession.

You are a court of honour as well as of strict martial law. I stand here for my fame, as well as for my life, and for my station in the navy. I hope therefore, that in a trial, which is not without importance to the whole service, you will be so indulgent as

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APPENDIX to the CHRONICLE. [263]

have a relation. Without attending to that relation, some particulars of my conduct on the 27th and 28th of July, cannot appear in the light which I imagine they are fairly intitled to; and some circumstances of my lenity towards Sir Hugh Palliser, will incur a censure they do not deserve.

I have reflected again and again on that business; and if I were to be once more in that situation, I am persuaded that I should act in all respects very much in the same manner. I have done my best and utmost; not merely to comply with an article of war (I should be ashamed that such a thing, at such a time, could have engaged my thoughts) but to defend the kingdom; and I have reason to thank God, that whatever obstructions I met with in service, or whatever slanders and accusations have followed me afterwards, the kingdom has been defended.

My capacity may be unequal to the trust which was placed in me. It is certainly very unequal to the warm wishes I have ever felt for the service of my country. Therefore if I had intrigued or solicited the command, or if I had bargained for any advantage on accepting it, I might be blamed for my presumption. But it came to me intirely unsought, and on accepting it, I neither complained of any former neglect, nor stipulated for any future gratification.

It is upwards of two years ago, that is, in November, 1776, that I received a message from Lord Sandwich, brought to me by Sir Hugh Palliser, that the appearance of foreign powers in our disputes, might require a fleet at home; and that he had his Majesty's or-

ders to know whether I would undertake the command. I said that I was ready to attend and give my answer in person to the King.

Being admitted into the closet, I gave such an one as seemed satisfactory to his Majesty; and having delivered my opinions with openness, I ended with a declaration of my willingness to serve him, in the defence of this country and its commerce, whenever I should be honoured with his commands, and as long as my health permitted.

The appearance on the part of foreign powers not continuing (I suppose,) to give so much alarm, I heard no more of the command from November, 1776, to February or March, 1778. At that time I had hints conveyed to me that I might soon be wanted. I was as ready to obey the King as I had been sixteen months before; and when required to serve, I had two or three audiences of his Majesty before I left London finally to hoist my flag. I must remark, that I took the freedom to express to his Majesty, that I served in obedience to *his* commands; that I was unacquainted with his Ministers, as Ministers; and that I took the command as it was, without making any difficulty, and without asking a single favour; trusting to his Majesty's good intentions, and his gracious support and protection.

Circumstanced as I was, I could have no sinister and no ambitious views in my obedience. I risked a great deal, and I expected nothing. Many things disposed me rather to seek my ease than any new employment, and gave me a very
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the operations; that is the true point of view from which they must be seen by those who examine his conduct; because his opinion must be formed, and his conduct regulated by the judgment of his eye upon the posture in which *he* sees his objects, and not from the view which another in a different, and perhaps distant position has of them; and in proportion as he has judged well or ill upon that particular view, taken from that particular position (which is the only point of direction he can have) he deserves either praise or censure.

On these principles I wish my manœuvres to be tried, when the proper consideration is whether they have been unskilfully conceived, or as the charge expresses it, in an un-officer-like manner. But my reasons for preferring any one step to another, stand upon different grounds; all that he charges as negligence was the effect of deliberation and choice: and this makes it necessary for me to explain, as fully as I think it right to do, the ideas I acted upon.

I am not to be considered in the light in which Sir Hugh Palliser seems to consider me, merely as an officer with a limited commission, confined to a special military operation, to be conducted upon certain military rules, with an eye towards a court martial, for my acquittal or condemnation as I adhered to those rules, or departed from them. My commission was of a very different sort. I was entrusted with ample discretionary powers for the immediate defence of the kingdom. I was placed, in some sort, in a political as well as a military situation; and though, at my own desire, for the purposes

of uniformity and secrecy, my instructions came to me through the Admiralty alone, yet part of them originated from the Secretary of State, as well as from the board. Every thing which I did as an officer was solely subservient and subordinate to the great end of the national defence. I manœuvred; I fought; I returned to port; I put to sea; just as it seemed best to me for the purpose of my destination. I acted on these principles of large discretion; and on those principles I must be tried. If I am not, it is another sort of officer; and not one with my trust and my powers that is on trial.

It is undoubtedly the duty of every sea officer, to do his utmost to take, sink, burn and destroy the enemy's ships wherever he meets them. Sir Hugh Palliser makes some charge on this head, with as little truth, reason, or justice, as on any of the others. He shall have a proper answer in its proper place; that is, when I come to the articles. But in justice to the principles, which directed me in my command, I must beg leave to tell you, that I should think myself perfectly in the right, if I postponed or totally omitted that destruction of ships in one, in two, or in twenty instances, if the pursuit of that object seemed to me detrimental to matters of more importance, otherwise it would be a crime for a commander entrusted with the defence of the kingdom, to have any plan, choice, or foresight in his operations; I ought to conduct myself, and I hope I did, in each particular, by my judgment of its probable effect on the issue of the whole naval campaign, to which all my actions ought to have

APPENDIX to the CHRONICLE. [263]

have a relation. Without attending to that relation, some particulars of my conduct on the 27th and 28th of July, cannot appear in the light which I imagine they are fairly intitled to; and some circumstances of my lenity towards Sir Hugh Palliser, will incur a censure they do not deserve.

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Circumstanced as I was, I could have no sinister and no ambitious views in my obedience. I risked a great deal, and I expected nothing. Many things disposed me rather to seek my ease than any new employment, and gave me a very

natural reluctance to put a situation so difficult to mend, to any new hazard.

That hazard, gentlemen, is very great to a chief commander who is not well supported at home; the greater the command, and the larger the discretion, the more liable the commander is, in the course of service, to hasty, ignorant, envious, or mutinous objections to his conduct; and if he has not a candid, an equitable acceptance of his endeavours at home, his reputation may be ruined, his successes will be depreciated, and his misfortunes, if such should befall him, will be turned into crimes. But the nation was represented to me, by those who ought best to know its condition, as not in a very secure state. Although my forty years endeavours were not marked by the possession of any one favour from the crown (except that of its confidence in time of danger) I could not think it right to decline the service of my country.

I thought it expedient to lay before you a true state of the circumstances under which I took the command, that you might see, that if I am that incapable and negligent officer which this charge represents me, I did not intrude myself into command; that I was called to it by the express orders of my Sovereign; that these orders were conveyed to me by his chief Minister of the marine, with great seeming concurrence and approbation; that the messenger (who also appeared to be perfectly pleased with his errand) was no other than Sir Hugh Palliser my accuser; who ought to have been a judge of my ability from a very long ac-

quaintance; and that lastly, this was no matter of surprize and hurry; since they had sixteen months time to consider and canvass my fitness for a great discretionary trust, before they placed it in my hands.

If I gave no just cause of doubt about my real character before my appointment, I gave as little cause of uneasiness afterwards. From the moment of my taking the command, I laid down to myself one rule, which in my opinion, where there are honest intentions on all sides, does more to ensure success to service, than almost any other that can be conceived; which was, "*to make the best of every thing.*" The whole fleet will bear me witness, that it was not my custom to complain, though it is generally thought good policy to be very exact by way of precaution. If any thing was defective, I stated it in confidence, and with good humour, to the first Lord of the Admiralty. I received my supplies with acknowledgment; what could not be helped, I concealed; I made no noise; nor encouraged, much less excited any murmurings in or out of the fleet.

I corresponded with the noble earl at the head of the Admiralty; and I did every thing with reference to him exactly in the same way as if my best and dearest friends were in that department. Having none but the plainest intentions, I was much more willing to take any blame upon myself, than lay it upon those who sent me out, or on those who served under me; I was open and unguarded; in general I studied my language very little, because I little suspected, that traps would be laid for me

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APPENDIX to the CHRONICLE. [265

in my expressions, when my actions were above reproach.

I very soon found how necessary it was for one in my situation to be well supported by office. On my first going to Portsmouth, which was in March last, I was made to believe, that I should see a strong and well-appointed fleet ready for sea. An opinion of that kind was circulated very generally. There were not more than six ships of the line assembled and in any condition to go upon service; of them, all I shall say is, that on reviewing them with a seaman's eye, they gave me no pleasure. Whilst I continued at Portsmouth, I believe four or five more arrived. I returned to town without making any noise. I represented amicably this state of things. I was told that the ships were collecting from other parts, and from sea; and I must say, that from that time forward, great diligence was used; as much, I believe, as was possible. If there had not, we never could have sailed, even with the force we went out with.

On the thirteenth of June, I set sail from St. Helens with twenty ships of the line; well enough equipped; that is, neither of the best nor the worst I had seen. I was hardly on my station, when a new occasion occurred, to shew me, how much a commander, entrusted as I was, must take upon himself; how much he must venture on his own discretion, and how necessary it is for him to have a proper support. The circumstances of my falling in with the French frigates, Pallas and Licorne, and of the chase and the engagement with the Belle Poule, (so honourable to Captain Mar-

shal) are fresh in your memories. I undertook the affair at my own risque. War had not been declared, nor even reprisals ordered. My situation was singular; I might be disavowed, and a war with France laid to the account of my rashness. There was not wanting some discourse of that tendency, among people whose opinions are of moment.

I represented what I had done; and to this hour I have not received one syllable of direct or official approbation of my conduct.

I found however that the taking of the ships was important to the state; the papers I found in them, and the intelligence I received by that means, filled me with the most serious apprehensions. I was on the enemy's coast with twenty sail of the line; there were thirty two in Brest road and Brest water, and frigates more than treble my number.

My orders to sail with twenty ships could not have been upon a supposition of my having to deal with a superior force.

I know what can be done by English officers and English seamen, and I trust to it as much as any man. I should not be discouraged by some superiority against me in ships, men and metal, but I have never had the folly to despise my enemy. I saw that an engagement, under such circumstances of decided superiority on the part of France, would hazard the very being of this kingdom. If our fleet should be destroyed, it was evident that the French must become masters of the sea, for that campaign at least; whether we could ever repair the loss is not very clear to me, when I consider
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the state of our naval stores at that time, and the extreme difficulty of a supply, as long as the French should continue superior in the channel.

It is impossible to say to what such a calamity might not lead; I was filled with the deepest melancholy I ever felt in my life. I found myself obliged to turn my back on France, but I took my resolution. I again risked myself on my own opinion. I quitted my station; my courage was never put to such a trial as in that retreat; *but my firm persuasion is, that the country was saved by it.* Those in power, who must have understood the state of the fleet, and of the kingdom, were the best able to discern the propriety of my conduct. But I was permitted to go out again in the same important command, very unworthy of the trust if I had done amiss: very deserving of commendation and thanks, if at my own risk I had preserved the country from no slight danger; one or other of these was certainly the case; but the fact is, that I was continued in the command, but did not then receive, nor have I yet received, any more than I had on the former occasion of taking the French ships, one word of official approbation.

All these discouraging circumstances did not abate the zeal I felt for the safety of my country, or disgust me with its service, or disturb my temper. On my return to Portsmouth I made no complaint; I did every thing to stifle discontent and to get forward for sea again, without divulging the true situation of affairs, although I found myself in publication,

which are considered as countenanced by authority, most grossly abused, and threatened with the fate of Admiral Byng.

I had returned to Portsmouth on the 27th of June, and on the ninth of July, finding my fleet made up to twenty-four ships of the line of battle, with four frigates and two fireships, I sailed again in obedience to my instructions, trusting to such reinforcement as I was given to expect would join me at Plymouth, off the Lizard, and at sea: by several reinforcements of ships, manned as the exigency would permit, the fleet was made up to thirty sail of the line. After this, although I was much short of a proportionable number of frigates, and must naturally be subject to many inconveniencies from that want, I had, on the whole, no just cause for uneasiness. The greatest part of the ships were in good condition, and well appointed; and where any thing was wanting, the zeal of the commanders abundantly supplied it.

The appearance of the French fleet confirmed the ideas upon which I had returned to Portsmouth; for on the 8th of July, the day before I left St. Helen's, they sailed out of Brest thirty-two sail of the line. On the 23d the fleets of the two nations first came in sight of each other. I believe the French Admiral found me much stronger than he expected; and from thence he all along shewed, as I conceived, a manifest disinclination to come to an engagement. I do not say this as meaning to call his courage in question, very far from it; I am certain that he is a man of great
bravery;

APPENDIX to the CHRONICLE. [267

bravery; but he might have many very reasonable motives for avoiding a decisive action.

Many objects of the French, and those very important, might be obtained without a battle. On my part I had every motive which could make me earnest to bring it on, and I was resolved to do so whenever and by whatever means I could.

I should be criminal indeed if I had not, for I had every motive for desiring to press on an action; the greatest body of the British trade was then on its return home. Two East-India and two West-India fleets of immense value were hourly expected; from the course it was probable they would hold, and from the situation of the French fleet, they might be taken in my fight without a possibility of my preventing it. Besides this, I know that two fleets, where one of them chuses to decline battle, may be for a long time near one another, without any means of bringing on an engagement.

I cannot be certain whether the account I have read be quite exact: but it should appear by that account, that in King William's reign Admiral Russel continued for two months almost in the daily view of the French fleet without having it in his power to fight them: I do not think the thing at all impossible.

I had also other reasons for the greatest anxiety to bring on an engagement upon any terms that I could obtain it.

These reasons are weighty; and they are founded in my instructions. I gave notice to the Admiralty, that I might find it useful to my defence to produce those

instructions on my trial. They communicated to me his Majesty's pleasure thereupon, and informed me, that they could not consent that my instructions should be laid before my council, or be produced at the court martial. I was much surprized at this answer, as I conceived that those who were much better judges than I could be of what was matter of state, could never have thought of putting me in a situation which might compel me, in my defence, to produce the instructions under which I acted, when at the same time they meant to refuse me the fair and natural means of my justification. It is my undoubted right, if I think proper, to avail myself of them. On former trials they have been generally sent down with the accusation, that the conduct of the Admiral might be compared with his instructions. But leaving the Admiralty to reflect on the propriety of their conduct, it is my part to take care of my own. I have always been willing to run any hazard for the benefit of the state. I shall not produce those instructions; I have not even shewed them to my council, nor communicated their contents. But my declining to make use of my own rights cannot, in a like case hereafter, affect the right of any other man.

The world will judge of the wisdom and equity of ordering trials under such circumstances.

On the 27th of July, I came to an action with the French: they were beaten, and obliged to retire into their own port. No one can doubt but a commander in chief, who is to reap the principal share of the glory, will be earnest to have

have his victory as compleat as possible. *Mine did not* answer to my wishes, nor to my just expectations. I was fully resolved to renew the engagement: why it was not renewed, will appear when I come to the particulars of the charge.

As to my conduct after the engagement, I might have pursued a fruitless and a most hazardous chace of some few ships (I know not to this hour with certainty what they were, nor does my accuser): if I had had my mind filled with notions unworthy of my station I might easily have paraded with my shattered fleet off the harbour of Brest. I chose rather to return to Plymouth with all expedition, to put myself once more in a condition to meet the enemy, and defend the kingdom. But on my return I took care to leave two men of war of the line on a cruize to protect the trade. By the vigilance of the commanders, and the happy effect of the late advantage, the expected fleets all came in safe.

At Plymouth I lost no time, and omitted no means of putting myself in a state fit for action. I did every thing to promote an unanimous exertion; and I found my endeavours well seconded by all the admirals and captains of the fleet. This benefit I acquired, by avoiding a retrospect into the conduct of the Vice-admiral of the blue; for if I had instituted an inquiry or trial, it would have suspended the operations of the whole fleet, and would have suspended them in the midst of the campaign, when every moment was precious, and the exertion of every officer necessary. The delay

which the present court-martial has occasioned to the service, even at this time, is evident to all the world. How much more mischievous would it have been at that period? I was sensible of it, or rather, to speak more correctly, my mind was so fully taken up with carrying on the great service which was entrusted to my care, that I could not admit the thought of mis-spending my own time, and wasting the flower of the British navy, in attending on a court-martial.

My letter to the Admiralty was written in the spirit which directed my conduct at Plymouth. All my letters were written with the same spirit. My letter published in the Gazette has been brought before this Court, for the purpose of convicting me of crimes, by the person whose faults it was intended to cover. He has attempted, very irregularly in my opinion, to call upon witnesses for their construction of my writing. No one has a right to explain my meaning, where it may be doubtful, but myself; and it is you, Gentlemen, who are to judge whether my explanation is fair.

That letter (as far as it goes) is an account of the action strictly true. It is indeed very short, and very general, but it goes as far as I intended it should. It commends Sir Hugh Palliser; it does what I meant to do.

I meant to commend his bravery (or what appeared to me as such) in the engagement. As he stood high in command, to pass over one in his station, would be to mark him. It would have conveyed the censure I wished for such good reasons to avoid, and I should have

APPENDIX to the CHRONICLE. [269

have defeated the one great object I had in view, the defence of the nation. In that letter I expressed also my hopes of bringing the French fleet to action in the morning.

I had such hopes; and my accuser, even in the second edition of his log-book, shews that I was not wholly ungrounded in my expectations, since he has recorded himself as of the same opinion. I said, that I did not interrupt the French fleet that evening in the formation of their line. I shall shew you by evidence (if it should not have already fully appeared) that I was not able to do it, and that any random firing from me under my circumstances would have been vain against the enemy, and a disgraceful trifling with regard to myself.

You have seen my expressions, and such is their meaning with regard to both the French and Sir Hugh Palliser, so far as they applied to the particular times to which they severally belonged. But there was an *intermediate time* with regard to both, of which, when I wrote my letter, I gave no account. I intended to conceal it. I do not conceive that a commander in chief is bound to disclose to all Europe, in the midst of a critical service, the real state of his fleet, or his opinion of any of his officers.

He is not, under such circumstances, bound to accuse a British admiral. To me, such an accusation, under almost any circumstances, is a very serious matter; whilst a possibility of an excuse for an officer remains in my mind, I am in my disposition ready to lay hold of it; and I confess to you,

that until Sir Hugh Palliser himself had brought out to this Court all the particulars, I attributed much more to his misfortune, or mistake, than I now find myself authorized to do; nor did I think his conduct half so exceptionable as he himself has proved it.

After the engagement, *be* never thought fit to explain to me the reasons of his not bearing down into my wake, to enable me to renew the action, and I did not think fit to enquire into them.

I apprehend that a power of passing over faults or mistakes in service, (into which the very best officers may be surprized) to be sometimes as necessary, if not to discipline, yet to the end of all discipline, the good of the service, as any punishment of them can possibly be: and one of the ill effects of this prosecution will be, I fear, to terrify a commander in chief out of one of the most valuable parts of his discretion.

By using the discretion which I thought was in me, I preserved concord in the fleet, promptitude in the service, and dignity to the country. In my opinion, any complaint of such a magnitude would have produced infinite mischiefs.

Nobody can imagine, that in that moment, an accusation of a Vice-admiral, who was besides a Lord of the Admiralty, could be undertaken without a capital detriment to our naval operations, and even to the quiet of the public.

My letter was written solely upon the principles which I have now honestly and faithfully laid before you, and which I submit to your judgment. If I have been
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more indulgent than was wise, the public has had the benefit, and all the trouble and inconvenience of my indiscretion has fallen upon myself. I never had a more troublesome task of the sort than in penning that letter, and it has ill answered my pains.

If I have not shewn myself able at concealment, it is a fault for which I hope I shall not lose much credit with this court martial. I shall not be very uneasy if I have been thought to have wrote a bad letter, if I shall be found, as I trust I shall be found, to have done my duty in fighting the enemy.

The intrusion of my letter into the trial, has made it necessary for me to explain it. I now proceed with the account of my conduct.

I got ready for sea again, with my usual temper and disposition to accommodate; after this I kept the sea as long as I could. The French fleet carefully avoided my station. I could obtain no distinct intelligence of them, though I omitted no means to procure it.

In consequence of this, their desertion of the seas, their trade fell into the hands of our privateers, to a number and value that I believe was never equalled in the same space of time. His Majesty was pleased to speak of it in his speech from the throne, and to attribute it to the good conduct of some of his officers.

When I considered this; when I considered the direct approbation of my conduct, and the circumstances which attended my appointment, it was with difficulty I persuaded myself that I was awake, when I found that I was

treated as a criminal, and ordered, without the least ceremony, or previous enquiry, to be tried by a court martial, on the accusation of my officer, my old friend, one over whose faults I had so lately cast a veil; the very person who was a messenger and congratulator of my original appointment. I acknowledge it was for some time before I could sufficiently master my indignation, and compose myself to that equality of temper with which I came hither, and with which I have heard such shocking and reproachful matter and words read to my face, in the place of support I was made to look for. I feel very much inward peace at present; and the event I consider with much less concern for myself, than for the service. Your judgment, I am fully persuaded, will be wise and well weighed, and such as will be of credit to yourselves, and of advantage and encouragement to that part of the military which is most interesting to this kingdom. On my part, I trust I shall intitle myself not only to an acquital, but to an honourable reparation at your hands, for the malicious calumnies contained in the charge against me.

Thus much I have said as to the general matter which has arisen on the trial, and the circumstances by which that trial has been brought on, as well as to the motives and principles which regulated the discretion that I conceive was in me. If these motives were probable, and likely to be real, I cannot be guilty of the criminal negligence and want of knowledge in my profession, with which I stand charged. As to the charges themselves,

APPENDIX to the CHRONICLE, [271

themselves, let the first article be read again, and I will answer to it.

Judge Advocate. First Article of the Charge.

THAT on the morning of the 27th of July, 1778, having a fleet of thirty ships of the line under his command, and being then in the presence of a French fleet of the like number of ships of the line; the said admiral did not make the necessary preparations for fight; did not put his fleet into a line of battle, or into any order proper either for receiving or attacking an enemy of such force: but on the contrary, although his fleet was already dispersed and in disorder, he, by making the signal for several ships of the vice-admiral of the blue's division to chase to windward, increased the disorder of that part of his fleet, and the ships were in consequence more scattered than they had been before; and whilst in this disorder, he advanced to the enemy, and made the signal for battle.

That the above conduct was the more unaccountable, as the enemy's fleet was not then in disorder, nor beaten, nor flying, but formed in a regular line of battle, on that tack which approached the British fleet, (all their motions plainly indicating a design to give battle) and they edged down and attacked it whilst in disorder. By this un-officer-like conduct, a general engagement was not brought on, but the other flag-officers and captains were left to engage without order or regularity, from whence great confusion ensued; some of his ships were prevented

getting into action at all, others were not near enough to the enemy; and some, from the confusion, fired into others of the King's ships, and did them considerable damage; and the vice-admiral of the blue was left alone to engage singly and unsupported. In these instances the said Admiral Keppel negligently performed the duty imposed on him.

The Admiral. Mr. President, to this charge, I answer, that I have never understood preparations for fight, to have any other meaning in the language and understanding of seamen, than that each particular ship under the direction and discipline of her own officers, *when in pursuit of an enemy*, be in every respect cleared and in readiness for action; the contrary of which, no admiral of a fleet, without reasonable cause, will presume; and as from the morning of the 24th, when the French fleet had got to windward, to the time of the action, the British fleet was in unremitting pursuit of them, it is still more difficult to conceive, that any thing more is meant by this charge, than what is immediately after conveyed by the charge that follows it, namely,

“ That on the same morning
“ of the 27th, I did not
“ put my fleet into a line
“ of battle, or into any
“ order, proper either for
“ receiving or attacking
“ an enemy of such force.”

By this second part of the charge, I feel myself attacked in the exercise of that great and broad line of discretion, which every officer commanding either fleets or armies,

armies, is often obliged, both in duty and conscience, to exercise to the best of his judgment, and which depending on circumstances and situations infinitely various, cannot be reduced to any positive rule of discipline or practice; a discretion which I will submit to the Court, I was particularly called upon by the strongest and best motives to exercise, and which, in my public letter to the Board of Admiralty, I openly avowed to have exercised. I admit, that on the morning of the 27th of July, I did not put my fleet into a line of battle, because I had it not in my choice to do so, consistent with the certainty, or even the probability, of either giving, or being given battle; and because, if I had scrupulously adhered to that order, in which, if the election had been mine, I should have chosen to have received, or attacked a willing enemy, I should have had no enemy either to receive or to attack.

I shall therefore, in answer to this charge, submit to the Court my reasons for determining to bring the French fleet to battle at all events; and shall shew, that any other order than that in which my fleet was conducted, from my first seeing them, to the moment of the action, was incompatible with such determination.

And in order to this, I must call the attention of the Court to a retrospective view of the motions of the two fleets, from their first coming in sight of each other.

On my first discovering the French fleet at one o'clock in the afternoon of the 23d of July, I made the necessary signals for forming my fleet in the order

of battle, which I effected towards the evening, when I brought to, by signal, and lay till the morning, when perceiving that the French fleet had gained the wind during the night, and carried a pressed sail to preserve it, I discontinued the signal for the line, and made the general signal to chase to windward, in hopes that they would join battle with me, rather than suffer two of their capital ships to be entirely separated from them, and give me the chance of cutting off a third, which had carried away a top-mast in the night, and which but for a shift of wind I must have taken. In this, however, I was disappointed, for they suffered two of them to go off altogether, and continued to make every use of the advantage of the wind.

This assiduous endeavour of the French admiral to avoid coming to action, which, from his thus having the wind, was always in his option, led me to believe he expected a reinforcement; a reflection which would alone have been sufficient to determine me to urge my pursuit in as collected a body as the nature of such a pursuit would admit of, without the delay of the line, and to seize the first opportunity of bringing on an engagement.

But I had other reasons no less urgent.

If by obstinately adhering to the line of battle, I had suffered, as I inevitably must, the French fleet to have separated from me; and if by such separation the English convoys from the East and West-Indies, which I have already stated in the introduction to my defence to have been then expected home, had been

APPENDIX to the CHRONICLE. [273]

been cut off, or the coast of England been insulted, what would have been my situation? Sheltered under the forms of discipline, I perhaps might have escaped punishment, but I could not have escaped censure; I should neither have escaped the contempt of my fellow citizens, nor the reproaches of my own conscience.

Moved by these important considerations, supported by the examples of Admiral Russel, and other great naval commanders, who in similar situations had ever made strict order give way to reasonable enterprise, and particularly encouraged by the remembrance of having myself served under that truly great officer Lord Hawke, when, rejecting all rules and forms, he grasped at victory by an irregular attack; I determined not to lose sight of the French fleet by being outailed from preserving the line of battle, but to keep my fleet as well collected as I could, and near enough to assist and act with each other, in case a change of wind or other favourable circumstance should enable me to force the enemy to action.

Such were my feelings and resolutions when the day broke on the morning of the 27th of July; at which time the fleet under my command was in the following position: Vice-admiral Sir Robert Harland was about four miles distant on the Victory's weather quarter with most of the ships of his own division, and some of those belonging to the centre; and Vice-admiral Sir Hugh Palliser at about three miles distance, a point before the lee beam of the Victory, with his mainmast up,

VOL. XXII.

which obliged the ships of his division to continue under an easy sail.

The French fleet was as much to windward; and at as great a distance, as it had been the preceding morning, standing with a fresh wind close hauled on the larboard tack, to all appearance avoiding me with the same industry as ever.

At this time, therefore, I had no greater inducement to form the line than I had on the morning of the former day; and I could not have formed it without greatly increasing my distance from the French fleet, contrary to that plan of operations which I have already submitted to the judgment of the Court.

The Vice-admiral of the blue next charges,

“ That although my fleet was
“ already dispersed, and in
“ disorder, I, by making
“ the signal for several
“ ships of his division to
“ chase to windward, in-
“ creased the disorder of
“ that part of my fleet;
“ and that the ships were
“ in consequence more
“ scattered than they had
“ been before; and that,
“ whilst in this disorder, I
“ advanced to the enemy,
“ and made the signal for
“ battle.”

In this part of the charge there is a studious design to mislead the understanding, and, by leaving out times and intermediate events, to make the transactions of half a day appear but as one moment.

It is indeed impossible to read it without being possessed with this idea,

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idea, that at half past five in the morning, when I made the signal for six of the ships of the Vice-admiral of the blue's division to chase to windward, I was in the immediate prospect of closing with an enemy approaching me in a regular line, and all their motions plainly indicating a design to give battle; instead of which, both the fleets were then on the larboard tack, the enemy's fleet near three leagues to windward, going off close by the wind with a pressed fail; my reason therefore for making that signal at half past five, was to collect as many of the ships to windward as I could, in order to strengthen the main body of the fleet, in case I should be able to get to action, and to fill up the interval between the Victory and the Vice-admiral, which was occasioned by his being far to leeward; and it is plain that the Vice-admiral must have himself understood the object of the signal, since it has appeared in the course of the evidence, that on its being made the Formidable set her main-sail, and let the reefs out of her topfails: and indeed the only reason why it was not originally made for the whole division was, that they must have then chased as a division, which would have retarded the best-going ships, by an attendance on the Vice-admiral.

Things were in this situation, when, about nine o'clock, the French fleet *voore* and stood to the southward on the starboard tack; but the wind, immediately after they were about, coming more southerly, I continued to stand on till a quarter past ten, at which time I tacked the British fleet together by signal; and soon after

we were about, the wind came some points in our favour to the westward, which enabled us to lie up for a part of them; but in a dark squall that almost immediately came on, I lost sight of them for above half an hour; and when it cleared away, at eleven o'clock, I discovered that the French fleet had changed their position, and were endeavouring to form the line on the larboard tack, which finding they could not effect without coming within gun-shot of the van of the British fleet, they edged down and fired on my headmost ships, as they approached them on the contrary tack, at a quarter after eleven, which was instantly returned; *and then, and not till then, I made the signal for battle— all this happened in about half an hour*; and must have been owing to the enemy's falling to leeward in performing their evolution during the squall, which we could not see, and by that means produced this sudden and unexpected opportunity of engaging them, as they were near three leagues ahead of me when the squall came on.

If, therefore, by making the signal for the line of battle when the van of my fleet was thus suddenly getting within reach of the enemy, and well connected with the center, as my accuser himself has admitted, I had called back the Vice-admiral of the red, the French fleet might either have formed their line complete, and have come down upon my fleet while in the confusion of getting into order of battle, or (what I had still greater reason to apprehend) might have gone off to windward out of my reach altogether;

APPENDIX to the CHRONICLE. [275

gether; for, even as it was, the enemy's van, instead of coming close to action, kept their wind, and passed hardly within random shot.

My accuser next asserts, as an aggravation of his former charge,

“ That the French fleet was
“ in a regular line, on the
“ tack which approached
“ the British fleet; all
“ their motions plainly
“ indicating a design to
“ give battle.”

Both which facts have already been contradicted, by the testimony of even his own witnesses. That the enemy's fleet was not in a regular line of battle, appeared by the French admiral being out of his station, far from the center of his line, and next, or very near, to a ship carrying a vice-admiral's flag; and from some of their ships being a-breast of each other, and in *one* as they passed the English fleet, with other apparent marks of irregularity: indeed every motion of the French fleet, from about nine, when it went on the starboard tack, till the moment of the action, and even during the action itself, I apprehend to be decisive against the alledged indication of designing battle: for, if the French admiral had really designed to come to action, I apprehend he never would have got his fleet on the contrary tack to that on which the British fleet was coming up to him, but would have shortened sail, and waited for it, formed in the line on the same tack; and even when he did tack towards the British fleet, the alledged indication is again directly refuted,

by the van of the French fleet hauling their wind again, instead of bearing down into action, and by their hoisting no colours when they began to engage.

Notwithstanding these incontrovertible truths, my accuser imputes it to me that a general engagement was not brought on; but it is evident, from the testimony of every witness he has called, that a general engagement was never in my choice; and that, so far from its being prevented by my not having formed the line of battle, no engagement, either general or partial, could have been brought on, if I had formed it: indeed, it is a contradiction in terms, to speak of a general engagement, where the fleet that has the wind, tacks to pass the fleet to leeward on the contrary tack.

Such was the manner in which, after four days pursuit, I was at last enabled, by a favourable shift of wind, to close with the fleet of France.

And if I am justifiable on principle, in the exercise of that discretion which I have been submitting to your judgment, of bringing on, at all events, an unwilling enemy to battle, I am certainly not called upon to descend to all the minutiae of consequences resulting from such enterprize; even if such had ensued, as my accuser has asserted, but which his own witnesses have not only failed to establish, but absolutely refuted. It would be an insult on the understanding of the Court, were I to offer any arguments to shew, that ships which engage without a line of battle cannot so closely, uniformly, and mu-

tually support each other, as when circumstances admit of a line being formed; because it is self-evident, and is the basis of all the discipline and practice of lines of battle: but, in the present case, notwithstanding I had no choice in making any disposition for an attack, nor any possibility of getting to battle otherwise than I did, which would be alone sufficient to repel any charge of consequent irregularity, or even confusion, yet it is not necessary for me to claim the protection of the circumstances under which I acted; because no irregularity or confusion, either existed or has been proved; all the chasing ships, and the whole fleet, except a ship or two, got into battle, and into as close battle as the French fleet, which had the option by being to windward, chose to give them.

The vice-admiral of the blue himself, though in the rear, was out of action in a short time after the Victory; and so far from being left to engage singly and unsupported, was passed, during the action, by three ships of his own division, and was obliged to back his mizen topfail to keep out of the fire of one of the largest ships in the fleet, which must have continued near him all the rest of the time he was passing the French line, as I shall prove she was within three cables length of the Formidable, when the firing ceased. Please to read the next article.

Judge Advocate. The second article of the charge is, "That after the van and center divisions of the British fleet passed the rear of the enemy, the admiral did not immediately tack and dou-

" b'e upon the enemy with those
" two divisions, and continue the
" battle; nor did he collect them
" together at that time, and keep
" so near the enemy as to be in
" readiness to renew the battle,
" as soon as it might be proper;
" but, on the contrary, he stood
" away beyond the enemy to a
" great distance before he wore to
" stand towards them again, leav-
" ing the vice-admiral of the blue
" engaged with the enemy, and
" exposed to be cut off."

The Admiral. Sir, In answer to this article, the moment the Victory had passed the enemy's rear, my first object was to look round to the position of the fleet, which the smok had till then obscured from observation, in order to determine how a general engagement might best be brought on after the fleets should have passed each other. I found that the vice-admiral of the red with part of his division had tacked, and was standing towards the enemy with top-gallant sails set, the very thing I am charged with not having directed him to do; but all the rest of the ships that had got out of action were still on the starboard tack, some of them dropping to leeward, and seemingly employed in repairing their damages:—The Victory herself was in no condition to tack, and I could not immediately wear and stand back on the ships coming up a-stern of me out of the action (had it been otherwise expedient) without throwing them into the utmost confusion.—Sir John Ross, who very gallantly tried the experiment, having informed the court of the momentary necessity he was under of wearing back again

APPENDIX to the CHRONICLE. [277

again to prevent the consequences I have mentioned, makes it unnecessary to enlarge on the probable effect of such a general manœuvre with all the ships a-head. Indeed, I only remark it as a strongly relative circumstance, appearing by the evidence of a very able and experienced officer, and by no means as a justification for having stood away to a great distance beyond the enemy before I wore, because the charge itself is grossly false in fact.

The Victory had very little way while her head was to the southward, and although her damages were considerable, was the first ship of the center division that got round towards the enemy again, and some time before the rest were able to follow her; since even as it was, not above three or four were able to close up with her on the larboard tack; so that had it even been practicable to have wore sooner than I did, no good purpose could have been answered by it, since I must only have wore the sooner back again, to have collected the disabled ships, which would have been thereby left still farther a-stern.

The Formidable was no otherwise engaged with the enemy during this short interval, than as being in the rear, which must always necessarily happen to ships in that situation, when fleets engage each other on contrary tacks, and no one witness has attempted to speak to the danger my accuser complains of, except his own captain, who, on being called upon to fix the time when such danger was apprehended, stated it to be before the Formidable opened her fire,—which renders the applica-

tion of it as a consequence of the second charge too absurd to demand a refutation. Now please to read the third, Sir.

Judge Advocate. The third article of the charge is, “ That after
“ the vice-admiral of the blue
“ had passed the last of the ene-
“ my’s ships, and immediately
“ wore and laid his own ship’s
“ head towards the enemy again,
“ being then in their wake, and
“ at a little distance only, and
“ expecting the admiral to ad-
“ vance with all the ships to re-
“ new the fight; the admiral did
“ not advance for that purpose,
“ but shortened sail, hauled down
“ the signal for battle; nor did he
“ at that time, or at any other
“ whilst standing towards the ene-
“ my, call the ships together in
“ order to renew the attack, as
“ he might have done, particu-
“ larly the vice-admiral of the red
“ and his division, which had re-
“ ceived the least damage, had
“ been the longest out of action,
“ were ready and fit to renew it,
“ were then to windward, and
“ could have bore down and
“ fetched any part of the French
“ fleet, if the signal for battle had
“ not been hauled down; or if
“ the said Admiral Keppel had
“ availed himself of the signal ap-
“ pointed by the thirty-first arti-
“ cle of the Fighting Instructions,
“ by which he might have ordered
“ those to lead, who are to lead
“ with the starboard tacks on
“ board by a wind, which signal
“ was applicable to the occasion
“ for renewing the engagement
“ with advantage after the French
“ fleet had been beaten, their
“ line broken, and in disorder.—

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" In these instances he did not do
 " the utmost in his power to
 " take, sink, burn or destroy the
 " French fleet, that had attacked
 " the British fleet."

The Admiral. Sir, As soon as I had wore to stand towards the enemy, I hauled down the signal for battle, which I judged improper to be kept abroad till the ships could recover their stations, or at least get near enough to support each other in action; and in order to call them together for that purpose, I immediately made the signal to form the line of battle ahead, a cable's length asunder, and the Victory being at this time ahead of all the center and red division, I embraced that opportunity of unbending her maintop-sail, which was totally unserviceable, and in doing which the utmost expedition was used, the ships astern of me doing all they could in the mean time to get into their stations, so that no time was lost by this necessary operation.

The Formidable was ahead of the Victory during this period; it was her station in the line, on that tack; yet at the very moment my accuser dares to charge me with not calling the ships together to renew the attack,—he himself, though his ship was in a manageable condition, as has appeared by the evidence of his own captain, —and though he had wore, expecting (as he says) the battle to be renewed, quitted his station in the front of that line of battle, the signal for which was flying, passed to leeward of me on the starboard tack, while I was advancing to the enemy, and never came

into the line during the rest of the day.

In this situation I judged it necessary that the vice-admiral of the red, who was to windward, and pushing forward on my weather-bow with six or seven ships of his division, should lead on the larboard tack, in order to give time to the ships which had come last out of action, to repair their damages; and get collected together, and the signal appointed by the thirty-first article of the Fighting Instructions not being applicable, as the French fleet was so nearly ahead of us, that by keeping close to the wind we could only have fetched them, I made the Proserpine's signal, in order to have dispatched Captain Sutton with a message to Vice-Admiral Sir Robert Harland, to lead the fleet on the larboard tack; but before he had left the Victory with the orders he had received, the French fleet wore and stood to the southward, forming their line on the starboard tack, their ships advancing regularly out of a collected body, which they had got into from the operation of wearing, and not from any disorder or confusion; though had such disorder or confusion really existed, I could have derived no immediate advantage from it, not having a sufficient force collected to prevent their forming, by an attempt to renew the attack. The Victory was at this time the nearest ship to the enemy, with no more than three or four of the center division in any situation to have supported her, or each other in action; the vice-admiral of the blue was on the starboard tack, standing away from

APPENDIX to the CHRONICLE. [279

from his station, totally regardless of the signal that was flying to form the line; and most of the other ships, except the red division, whose position I have already stated, were far a-stern, and five disabled ships at a great distance on the lee quarter.

Most of these facts are already established by my accuser's own evidence; and I shall prove and confirm them all by the testimony of that part of the fleet, whose situations will enable them to speak to them with certainty.

I trust they will convince the court, that I had it not in my power to collect the fleet together to renew the fight at that time, and that from their not being able to follow me, I consequently could not advance with them; that I did not shorten sail, but only shifted an unserviceable one when I was far a-head, and the ships unable to follow; that I did not haul down the signal for battle till it ceased to be capable of producing any good effect; that during the whole time I stood towards the enemy, I endeavoured by the most forcible of all signals, the signal for the line of battle, to call the ships together, in order to renew the attack; that I did avail myself of the ships that were with the vice-admiral of the red, as far as circumstances admitted; and that I therefore did do the utmost in my power to take, sink, burn, and destroy the French fleet, which had attacked the British fleet. Read the fourth article if you please.

Judge Advocate. The fourth article of the charge is, "That, instead of advancing to renew

" the engagement, as in the preceding articles is alledged, and as he might and ought to have done, the admiral wore and made sail directly from the enemy; and thus he led the whole British fleet away from them, which gave them the opportunity to rally unmolested, and to form again into a line of battle, and to stand after the British fleet.

" This was disgraceful to the British flag; for it had the appearance of a flight, and gave the French admiral a pretence to claim the victory, and to publish to the world that the British fleet ran away, and that he pursued it with the fleet of France, and offered it battle."

The Admiral. Sir, The French fleet having wore, and began to form their line on the starboard tack by the wind, which if they had kept would have brought them close up with the center division, soon afterwards edged away, pointing towards four or five of the disabled ships, which were at a distance to leeward, and with evident intention to have separated them from the rest of the fleet; to prevent which, I made the signal to wear, and stood athwart their van in a diagonal course, to give protection to these crippled ships, keeping the signal for the line flying, to form and collect the fleet on the starboard tack: and as I had thus been obliged to alter my disposition before Captain Sutton left the Victory with my former message, I dispatched him with orders to the vice-admiral of the red, to form with his division at a distance a-stern of the Victory, to cover the rear,

rear, and to keep the enemy in check 'till the vice-admiral of the blue should come into his station with his division, in obedience to the signal. These orders the vice-admiral of the red instantly obeyed, and was formed in my wake before four o'clock; when finding that while by the course I steered to protect the crippled ships, I was nearing the enemy, the vice-admiral of the blue still continued to lie to windward, and by so doing kept his division from joining me, I made the signal for ships to windward to bear down into my wake; and that it might be the better distinguished (both being signals at the mizen peak) I hauled down the signal for the line for about ten minutes, and then hoisted it again. This signal for ships to windward to bear down he repeated, though he had not repeated that for the line of battle; but by not bearing down himself, he led the ships of his division to interpret his repeating it, as requiring them to come into his wake instead of mine.

Having now accomplished the protection of the disabled ships, and the French fleet continuing to form their line, ranging up to leeward parallel to the center division, my only object was to form mine, in order to bear down upon them to renew the battle: and therefore, at a quarter before five, after having repeated the signal for ships to windward to bear down into my wake with no better effect than before, I sent the Milford, with orders to the vice-admiral of the red to stretch a-head and take his station in the line, which he instantly obeyed; and the vice-admiral of the blue being still to

windward, with his fore top-sail unbent, and making no visible effort to obey the signal, which had been flying the whole afternoon, I sent the Fox at five o'clock with orders to him to bear down into my wake, and to tell him that I only waited for him and his division to renew the battle; and while I was dispatching these frigates, having before hauled down the signal to come into my wake, I put abroad the signal for all ships to come into their stations, always keeping the signal for the line flying. All this producing no effect on the vice-admiral of the blue, and wearied out with fruitless expectation, at seven o'clock I made the signal for each particular ship of the vice-admiral of the blue's division to come into her station; but before they had accomplished it, night put an end to all further operations.

It may be observed, that amongst these signals I did not make the Formidable's.—If the vice-admiral chuses to consider this as a culpable neglect, I can only say that it occurred to me, to treat him with a delicacy due to his rank, which had some time before induced me to send him the message by Captain Windfor; the particulars of which he has already faithfully related to the court.

I trust I have little reason to apprehend that you will be inclined to consider my conduct, as I have stated it, in answer to this fourth article of the charge, as disgraceful to the British flag! After I had wore upon the same tack with the enemy, to protect the disabled part of my fleet, and to collect the rest together, there would have been little to do to renew the battle,

APPENDIX to the CHRONICLE. [281

battle, but bearing right down upon the enemy, if my accuser had led down his division in obedience to the repeated signals and orders which I have stated. The Victory never went more than two knots, was under her double reefed topails and foresail, much shattered, which kept the ships that were near her under their topails, and suffered the French fleet, which might always have brought me to action, if they had inclined to do it, to range up parallel with the center under very little sail; and it was to protect the five disabled ships above mentioned, and to give the rest time to form into some order, that I judged it more expedient to stand as I did, under that easy sail, than to bring to, with my head to the southward. The court will judge whether it was possible for any officer in the service, really to believe that these operations could give the appearance of a flight, or furnish a rational pretence to the French admiral to claim the victory, or publish to the world that the British fleet had run away. Please to read the next article,

Judge Advocate. The fifth article of the charge is, "That in the morning of the 28th of July, 1778, when it was perceived that only three of the French fleet remained near the British in the situation the whole had been in the night before, and that the rest were to leeward at a greater distance, not in a line of battle, but in a heap; the admiral did not cause the fleet to pursue the flying enemy, nor even to chase the three ships that fled after the rest; but, on

"the contrary, he led the British fleet another way, directly from the enemy.

"By these instances of misconduct and neglect a glorious opportunity was lost of doing a most essential service to the state, and the honour of the British navy was tarnished."

The Admiral. Sir, On the morning of the 28th of July, the French fleet (except three sail, which were seen on the lee-quarter) was only visible from the mast heads of some of the ships of the British fleet, and at a distance from me, which afforded not the smallest prospect of coming up with them, more especially as their ships, though certainly much damaged in their hulls, had not apparently suffered much in their masts and sails; whereas the fleet under my command was generally and greatly shattered in their masts, yards, and rigging, and many of them unable to carry sail; as to the three French ships, I made the signal at five o'clock in the morning for the Duke, Bienfaisant, Prince George, and Elizabeth, to give them chase, judging them to be the properest ships for that purpose; but the two last were not able to carry sufficient sail to give even countenance to the pursuit; and looking round to the general condition of my fleet; I saw it was in vain to attempt either a general or a partial chase. Indeed, my accuser does not venture to alledge that there was any probability, or even possibility, of doing it with effect, which destroys the whole imputation of his charge.

Under these circumstances I trust I could not mistake my duty; and
I was

I was resolved, as I have already before observed in the introduction to my defence, not to sacrifice it to an empty show and appearance, which is beneath the dignity of an officer, unconscious of any failure or neglect. To have urged a fruitless pursuit with a fleet so greatly crippled in its masts and sails, after a distant and flying enemy, within reach of their own ports, and with a fresh wind blowing fair for their ports, with a large swell, would have been not only wantonly exposing the British fleet under my command without end or object, but misleading and defeating its operations, by delaying the reëtment necessary for carrying on the future service with vigour and effect.

My accuser asserts, by a general conclusion, to the five articles exhibited against me, that from what he states as instances of misconduct and neglect in me, a glorious opportunity was lost of doing a most essential service to the state, and that the honour of the British navy was tarnished.

The truth of the assertion, that an opportunity was lost, I am not called upon either to combat or deny; it is sufficient for me, if I shall be successful in proving that, that opportunity was seized by me, and followed up to the full extent of my power; if the court shall be of that opinion, I am satisfied; and it will then rest with the vice-admiral of the blue to explain to what cause it is to be referred, that the glorious opportunity he speaks of was lost, and to whom it is to be imputed (if the fact be true) that the honour of the British navy has been tarnished.

Having now offered to the court precise answers to all the charges exhibited against me; I shall proceed to call my witnesses to support those answers, and of course to refute the charges in the order in which they have been made. I shall call them not as a prisoner commonly calls his witnesses, to oppose them to those which appear for the prosecution—quite the contrary,—I bring them to support, confirm, enlarge, and illustrate almost the body of the evidence which has been given by my accuser.

But, before I sit down, I must discharge a duty which I feel myself to owe to the reputation of a service highly and justly favoured in this country, and which can never suffer in its honour, but the nation itself will suffer in proportion.

I have heard it asserted, and contended for during this trial, as an essential and indispensable right of a captain of a man of war, to make additions and alterations in the ship's log-book, even after the original entries had been seen, examined, and approved by himself. I have seen this attempted to be excused, nay, even justified and boasted of in a case where the alterations and additions introduced matter of criminal and capital offence, acknowledged by the party to have been introduced months after the original entries were inserted; and with knowledge that a criminal charge had then been exhibited against the person in whose trial they were first heard of. I have heard this attempted to be defended where the most material of the alterations and additions were certainly not supported by fact.

Upon

APPENDIX to the CHRONICLE. [283

Upon this occasion, surely, I am called upon to enter my protest against a claim which subjects the log-books of the King's ships, that ought to contain, if not always a perfect, yet always a genuine narrative of their transactions, when the events are fresh and recent, when they cannot be mistaken, and can hardly be misrepresented, and which ought never to be altered after the entries have been made and authorized.

This is the case of the first alteration of the log-book.—Another alteration has since appeared in another log-book! that of the prosecutor himself! little differing from the former, except that the person that has actually made it does not appear to justify it; that the witness to it states it to have been made soon after the engagement, and that the destruction of some leaves, and substitution of others, seems to be rather made for the purpose of exculpating another person than of criminating me. But whatever the intention was, the thing is equally unjustifiable in all respects. It tends equally to destroy all sort of use in these kind of records, and to render them highly fallacious, and possibly highly dangerous. I do not dwell on all the particulars of that unhappy business!—It is painful to me, and the nature of the transaction is but too visible. There has always been, and probably will always be, something slovenly in these books, and the masters have thought they have more power over them than is proper. There is, however, a great difference between inaccuracy and malicious design. There is a difference between the correction or supply of indifferent matters, and

the cancelling of pages, and putting in others;—omitting, adding to, and varying the most important things for the most important purposes.

It is also proper for me to state two or three facts to the court, in order to place the conduct of my accuser in its proper point of view.

I admit that the charges he has exhibited against me are very heinous.—They express misconduct and negligence; they imply (and so the court has understood them to imply) cowardice also. If I ever committed them at all, it was in his presence, and in the presence of a numerous corps of officers, who being called upon by the court, have all unanimously refused, or I trust will refuse to fix any one charge upon me. I have mentioned before the circumstance of my accuser's silence for months, during which he was called upon by the duty he owed to his country to have stated my misconduct, if any such had existed; and his refusal to do so is strong evidence of itself, that even in his opinion my conduct was liable to no reproach.

But this is not all; even so late as the 5th of October last, I received a letter from him, dated at sea, conceived in terms of great good will and respect for me; in which, having occasion to mention some prizes, which had been taken by the fleet, he considers *that* as a subject of little moment to me, assigning *this* as a reason, "for I know you had rather meet the French fleet."—That fleet which he says I fled from!

Is this consistent with the tenor of those charges?—Could the man who wrote the one, believe the other?—It is absolutely impossible.—I cannot produce this letter in evidence;

evidence; but when I go out of the court, I will shew it to any gentleman who is desirous to see it*.

Another thing more, and I have done.

Sir Hugh Palliser thought proper to address the public by a printed newspaper, dated the 4th of November, principally, as it seems, for the sake of asserting that he was not, and insinuating that *I was*, the cause of the French fleet not being re-attacked in the afternoon of the 27th of July.

In that paper he positively denies that he received any message by Captain Windfor saying a word about renewing the attack, and he calls the contrary assertion a false one.—Captain Windfor has been called, and he has proved, that at five o'clock he received from me, and at about half past five he delivered to Sir Hugh Palliser himself, the message to come with the ships of his division into my wake, and that I only waited for him to renew the attack.

This account of Captain Windfor has been attempted to be discredited by the prosecutor, who has asked Captain Bazely, and I believe one or two more, whether it was not at a later hour than Captain Windfor named.—I shall for that reason call witnesses to confirm Captain Windfor in all the circumstances of his testimony.

I owe it to him, as an honourable man, to shew that his evidence is correctly true.

I will prove that the message sent by me, was precisely the message delivered by him at the time he speaks to, and that it was exactly repeated by him to the vice-

admiral,—yet, after his own ears had heard, at half past five in the afternoon of a summer's day, that I waited only for him and his division to renew the attack; this gentleman applies to me, ignorant, negligent, cowardly, as he now represents me, to certify his good behaviour, and to support his character against the malice of his enemies.

He applies to me to sign a paper, containing many particulars directly contrary to the evidence you have heard upon oath, and which I will also shew to any one †.

At present I have only to do with one of those particulars. That paper (concurring with his attempts in this trial) contains this assertion, “that the calling his, “and vice-admiral Sir Robert “Harland's divisions, into my “wake, in the evening, was not “for the purpose of renewing the “battle at that time, but to be “in readiness for it in the morning.” This my accuser had the confidence to tender to me to sign.

To sign an assertion of a fact absolutely unfounded; the contrary of which I know to be true, and the contrary of which Captain Windfor has proved, and my accuser knew to be true.

How that gentleman felt when this came out I know not; but if I could conceive myself in the same situation, I know that it would be difficult to express what I should feel. *I cannot wish so heavy a punishment to my worst enemy.*

The examination of evidence in the admiral's defence continued to the 8th of Feb. when it was finally closed; and Sir Hugh Palliser the

* See this letter in page 293.

† See this paper in page 293.

APPENDIX to the CHRONICLE. [285

prosecutor having claimed a right of replying to the defence, the same was objected to; and the court having withdrawn, upon the question, came to a resolution, that the same was unprecedented, and could not be complied with.

On the 11th of February the Court met; when the Judge Advocate read the opinion of the court martial, as follows:

At a Court Martial assembled on board his Majesty's ship *Britannia*, in Portsmouth Harbour, the 7th of January, 1779, and held by Adjournment at the House of the Governor of his Majesty's Garrison at Portsmouth, every day afterwards (Sundays excepted) till the 11th of February, 1779, inclusive;

P R E S E N T,

Sir Thomas Pye, admiral of the white, President.

Matthew Buckle, Esq; vice-admiral of the red; till the close of the sixth day, when he became unable any longer to continue his attendance on account of sickness.

John Montagu, Esq; vice-admiral of the red.

Mariot Arbuthnot, Esq; Robert Roddam, Esq; rear-admirals of the white.

Captains Mark Milbank,
Francis Samuel Drake,
Taylor Penny,
John Moutray,
William Bennet,
Adam Duncan,
Philip Boteler,
James Cranston.

The Court, pursuant to an order of the Lords Commissioners of the Admiralty, dated the 31st

of December, 1778, and directed to Sir Thomas Pye, proceeded to enquire into a charge exhibited by Vice-admiral Sir Hugh Palliser against the Honourable Admiral Augustus Keppel, for misconduct and neglect of duty on the 27th and 28th of July, 1778, in sundry instances, as mentioned in a paper which accompanied the said order; and to try him for the same: and the Court having heard the evidence; and the prisoner's defence, and maturely and seriously considered the whole, are of opinion, that the charge is malicious and ill founded; it having appeared that the said admiral, so far from having, by misconduct and neglect of duty on the days therein alluded to, lost opportunity of rendering essential service to the state, and thereby tarnished the honour of the British navy, behaved as became a judicious, brave, and experienced officer: The Court do therefore unanimously and honourably acquit the said Admiral Augustus Keppel of the several articles contained in the charge against him; and he is hereby fully and honourably acquitted accordingly.

GEORGE JACKSON,
Judge Advocate.

Thomas Pye.
John Montagu.
Mariot Arbuthnot.
Robert Roddam.
Mark Milbank.
Francis Samuel Drake.
Taylor Penny.
John Moutray.
William Bennet.
Adam Duncan.
Philip Boteler.
James Cranston.

The

The Address of Sir Thomas Pye,
President, on delivering the Ad-
miral his sword.

Admiral Keppel, It is no small
pleasure to me to receive the
commands of the Court I have
the honour to preside at, that, in
delivering you your sword, I am
to congratulate you on its being
restored to you with so much ho-
nour; hoping ere long you will
be called forth by your Sovereign
to draw it once more in the de-
fence of your country.

*Copies of Letters between the Hon.
Admiral Keppel, the Secretary to
the Admiralty, the Judge Advoca-
te, and Sir Hugh Palliser.*

Admiralty-office, 9 Dec. 1778.

S I R,

Sir Hugh Palliser, vice-admiral
of the blue squadron of his Ma-
jesty's fleet, having in his letter of
this day's date transmitted to my
Lords Commissioners of the Ad-
miralty, a charge of misconduct
and neglect of duty against you,
on the 27th and 28th of July,
1778, in divers instances therein
mentioned, and desired that a
court martial may be held for try-
ing you for the same; and their
Lordships intending that a court
martial shall be held for that pur-
pose, I have it in command from
them to send you herewith a copy
of the said charge, that you may
be preparing for your defence.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

PH. STEPHENS.

*Honble. Augustus Keppel,
Admiral of the Blue, &c.*

*Audley-square, Thursday night,
Dec. 10, 1778.*

S I R,

The very extraordinary contents
of your letter of last night made
it impossible for me on a sudden to
make any other answer, than a
bare acknowledgment of having
received it; but it has not requir-
ed much time to determine me, in
justice to my own reputation, to
inform you, that I am willing to
meet a court martial whenever the
Board of Admiralty shall think
proper to order me.

At the same time, Sir, I desire
you will represent to the Lords
Commissioners my utter astonish-
ment at the countenance their
Lordships have so far given to this
proceeding, as to resolve, on the
same day on which such a charge
is exhibited, to order a court mar-
tial against the commander in
chief of the fleet, on an attack
from an inferior officer, under all
the very peculiar circumstances in
which Sir Hugh Palliser now
stands.

I am, Sir, your humble servant,

A. K.

Ph. Stephens, Esq.

Letter from PH. STEPHENS, Esq;

Admiralty-office, 11th Dec. 1778.

S I R,

I received yesterday afternoon
your letter of the 10th instant, ac-
knowledging the receipt of mine
of the 9th, transmitting a copy
of the charge exhibited against you
by Vice-admiral Sir Hugh Palli-
ser; and this morning I received
your letter, dated last night, inti-
mating that you are willing to
meet a court martial whenever the
Board of Admiralty shall think
proper

APPENDIX to the CHRONICLE. [287]

proper to order one; and having without loss of time laid the same before my Lords Commissioners of the Admiralty, I am commanded by their Lordships to acquaint you, that they propose to order a court martial to be assembled on Thursday the 7th of January next, if you think you shall be ready with your evidence by that time; but if not, their Lordships will order it to be held on a later day.

As to the astonishment you express at the countenance you conceive their Lordships have given to this proceeding, by resolving, on the same day on which the charge was exhibited, to order a court martial, their Lordships command me to acquaint you, that they know of no instance in which the Board of Admiralty, upon receiving a specific charge of such a nature, signed by an officer of rank serving under the party accused, and accompanied with a request for the assembling a court martial thereupon, have delayed coming to a resolution to order one, nor would they have thought themselves justified, if they had hesitated to take the necessary steps for bringing the matter to an early and legal decision.

I have the honour to be,
Sir,

Your most obedient,
humble servant,

PH. STEPHENS.

Honble. Admiral Keppel, town.

Audley-square, 16th Dec. 1778.

S I R,

My counsel having informed me, that before they can give the best advice in their power upon the charge of Sir Hugh Palliser, it

will be necessary for them to see the whole of my instructions and correspondence with you; and that it may be necessary to produce the whole or part of them before the court martial, I desire you will acquaint the Lords Commissioners of the Admiralty therewith.

I am, Sir,

Your humble servant,

A. K.

Ph. Stephens, Esq.

Mr. Stephens's letter in answer to mine of the 16th.

Admiralty-office, 18th Dec. 1778.

S I R,

I received, and lost no time in laying before my Lords Commissioners of the Admiralty, your letter of the 16th instant, respecting the communication of your instructions, and correspondence with me, to your counsel, and perhaps to the court martial that is to be assembled for your trial. I was in hopes I should have been enabled by this time to have sent you their Lordships answer thereto; but as the instructions to which you allude are of a very secret nature, and were given in pursuance of his Majesty's commands, signified by one of his Principal Secretaries of State, it is necessary that their Lordships should receive his Majesty's farther commands, before they can with propriety give you a full answer to your letter. Their Lordships are persuaded in the mean time you will not communicate those instructions to any person whatsoever; and they command me to assure you, that you shall have their farther
answer

288] ANNUAL REGISTER, 1779.

answer with as little delay as possible.

I am, Sir,

Your most obedient,
humble servant,

PH. STEPHENS.

Hon. Admiral Keppel, London.

Letter from Ph. Stephens, Esq;
in further answer to mine of the
16th.

Admiralty-office, 21st Dec. 1778.

S I R,

My Lords Commissioners of the Admiralty having acquainted Lord Viscount Weymouth, his Majesty's Principal Secretary of State, with your having been informed by your counsel, that before they could give you the best advice in their power upon the charge of Sir Hugh Palliser, it would be necessary for them to see the whole of your instructions, and correspondence with this office; and that it might be necessary to produce the whole or part of them at the court martial; and my Lords having at the same time desired his Lordship to signify his Majesty's commands with respect thereto; his Lordship has in return informed them, that it is his Majesty's pleasure they should signify to you, that you must be sensible that there are parts of your instructions which cannot be divulged without great detriment to the state. I am commanded by their Lordships to signify the same to you accordingly, and to inform you, in further answer to your letter of the 16th inst. that they cannot consent that the whole of your said instructions, and the correspondence above mentioned, should be laid before your counsel, or be

produced at the court martial; but if you will point out any parts of the said instructions or correspondence which in your opinion have any relation to the operations of the fleet on the 27th and 28th of July last, you will be permitted to make use of them in the manner you desire, if there shall appear to be no objections of the nature above mentioned.

I have the honour to be,
with great regard,

Sir,

Your most obedient,
humble servant,

PH. STEPHENS.

Hon. Augustus Keppel.

Audley-square, Dec. 23, 1778.

S I R,

I have received your letter of the 21st instant, in which you inform me, that the Lords Commissioners of the Admiralty had acquainted Lord Weymouth, one of his Majesty's Principal Secretaries of State, with the contents of my letter to you of the 16th. That his Lordship has in return informed them, "That it is his Majesty's pleasure they should signify to me, that I must be sensible there are parts of my instructions which cannot be divulged without great detriment to the state, and that the Lords Commissioners of the Admiralty had ordered you to inform me, that they cannot consent that the whole of my instructions and correspondence with you should be laid before my counsel, or be produced at the court martial; but that if I will point out any parts of the said instructions or correspondence which in my opinion

APPENDIX to the CHRONICLE [289

" has any relation to the operation of the fleet on the 27th and 28th of July last, I shall be permitted to make use of them in the manner I desire, if there be no objection of the nature above mentioned."

I am also to acknowledge the receipt of your letter of the 18th, in which you informed me, " That it was necessary their Lordships should receive his Majesty's farther commands, before they could with propriety give me a full answer to my letter; and that their Lordships were persuaded that in the mean time I would not communicate those instructions to any person whatsoever." In answer to which, I must desire you will acquaint their Lordships, that I neither have made, nor will make, any unnecessary communications of my instructions; nor are even my counsel yet apprized of any part of them. But in answer to your letter of the 21st, I must beg of you to inform their Lordships, that they have totally misunderstood my letter of the 16th, if they imagined that, when put upon my trial for the defence of my life and honour, I could think of asking any permission to produce before the court which is to try me, any circumstance which, in my own opinion or that of my counsel, may in any degree be useful for my defence. No, Sir; my letter of the 16th was not to ask leave to do what by every rule of justice is my right. In respect to the last paragraph of your letter of the 24th, " That if I will point out any parts of such instructions or correspondence which in my opinion has any

VOL. XXII.

" relation to the operations of the fleet on the 27th and 28th of July last, I shall be permitted to make use of them in the manner I desire, if there shall appear no objections of the nature above mentioned;" I can only say, that I conceive that my instructions, and every part of them, must necessarily have relation to the operation of the fleet on the 27th and 28th of July last, and on every day it was acting under my command, and that I was acting under those instructions. As to my pointing out the particular parts which I conceive may be most useful to me, and opening my defence to that Board of whose conduct towards me in this business I have reason to complain, where the accusations against me originated, and where my accuser has a seat, it cannot on reflection be expected; nor can I believe their Lordships intend, that when they put me on my trial they are to limit me by their discretion in the use of such means as I may think expedient for my defence, and that they propose to distress me by such an alternative, as that I must necessarily (according to their statement) either bring detriment on the state, or prejudice to my own justification.

I am, Sir,

Your very humble servant,

A. K.

Ph. Stephens, Esq.

Audley-square, Dec. 26, 1778.

S I R,

I received yesterday your letter of the 24th, in answer to mine to you of the same day, informing me, that in addition to what is mentioned in your letter of the

[7]

27th

12th instant concerning the attendance of Captain Windfor, and the first lieutenant of his Majesty's late ship Fox, at the court martial to be held for my trial on the 7th of next month, that their Lordships, on the same day, desired Lord Weymouth, one of his Majesty's Principal Secretaries of State, to take such measures as should appear to him to be proper for procuring their appearance at the time afore-mentioned; and further to inform me it is not their Lordships intention that the court should sit until the effects of the afore-mentioned application is known.

This information leads me to apprehend a possibility of the enquiry being put off; and any delay, I much fear, will be productive of serious detriment to my country, in the detaining so many other officers from the public service.—From this consideration I remain of opinion, that the evidence of Captain Windfor and of his lieutenant may be material at the trial: I must repeat what I wrote to you in my letter of the 11th instant, that from the uncertainty of the return of those gentlemen to England, it is my wish not to have the court martial put off on that account.

I am, Sir,

Your humble servant,

A. K.

Ph. Stephens, Esq.

PH. STEPHENS, Esq; in answer to mine of the 23d.

Admiralty-office, 27th Dec. 1778.

S I R,

Having laid before my Lords Commissioners of the Admiralty

your letter of the 23d instant & their Lordships, in answer to that part of it which relates to the accusation against you, command me to inform you, that the accusation did not originate from their Board, but from Sir Hugh Palliser, whose attendance there has been dispensed with ever since.

Their Lordships having already communicated to you his Majesty's pleasure with regard to your secret instructions, cannot think it necessary to say any thing further to you upon that subject.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

PH. STEPHENS.

*Honble. Augustus Keppel,
Admiral of the Blue, &c.*

Admiralty-office, 27 Dec. 1778.

S I R,

Vice-admiral Sir Hugh Palliser having, in his letter of yesterday's date, acquainted my Lords Commissioners of the Admiralty, that, as the witnesses will be assembled at your trial, he shall be ready, as soon as that trial is over, to vindicate his own conduct and behaviour on the 27th of July, 1778; and he having therefore desired that their Lordships will be pleased to require you to give in your charge as soon as may be, if you have any to make against him; I am commanded by their Lordships to send you herewith a copy of the said letter, and to signify their direction, that if you have any thing to charge against the conduct of Vice-admiral Sir Hugh Palliser, you do transmit the

APPENDIX to the CHRONICLE. [291

the same to their Lordships as soon as may be.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

PH. STEPHENS.

Honble. Admiral Keppel.

Admiralty, 26 Dec. 1778.

S I R,

As the witnesses will be assembled at the trial of the Honourable Admiral Keppel, I beg leave to acquaint the Lords Commissioners of the Admiralty, that I shall be ready, so soon as that trial is over, to vindicate my own conduct and behaviour on the 27th of July, 1778: I therefore desire their Lordships will be pleased to require Admiral Keppel to give in his charge as soon as may be, if he has any to make against me.

I am, Sir,

Your most obedient,

humble servant,

HUOH PALLISER.

Pb. Stephens, Esq.

Audley-square, Sunday afternoon,

27 Dec. 1778.

S I R,

I have to acknowledge the receipt of your letter of this day's date, inclosing a copy of a letter from Sir Hugh Palliser, acquainting the Lords Commissioners of the Admiralty, that as the witnesses will be assembled at my trial, he shall be ready, as soon as that trial is over, to vindicate his own conduct and behaviour on the 27th of July, and desiring that their Lordships would be pleased to require me to give in my

charge as soon as may be, if I have any to make against him; in consequence of which, their Lordships are pleased to direct, that if I have any thing to charge against the conduct of Sir Hugh Palliser, I do transmit the same to their Lordships.

I desire you will express to the Lords Commissioners of the Admiralty my great surprize at the contents of these letters. I learn, by another letter you have favoured me with of the same date, that Sir Hugh Palliser's attendance at the Board has been dispensed with ever since he exhibited his charge against me. He appears to me, however, to think that he has lost no part of his weight and influence at the Board, when he presumes to desire their Lordships to require me, in my present situation, to employ a thought about him, in any other character than as the author of that charge; and, for the present at least, I must be excused in declining to give any other answer to your letter.

I am, Sir,

Your humble servant,

A. K.

Pb. Stephens, Esq.

Audley-square, 2d Jan. 1779.

S I R,

The Provost Marshal, who was directed by the Lords Commissioners of the Admiralty to take me into his custody, informed me, that, as their Lordships do not mean to give me unnecessary trouble, he was permitted to take my word of honour for my appearance at Portsmouth on the 7th of this month; I have given him my word of honour accordingly, and

292] ANNUAL REGISTER, 1779.

am this day setting out upon my journey thither, of which I desire you will inform their Lordships.—

And likewise that you will acquaint them, I beg to be informed whether the flag officers of the fleet who were commanding at the Nore, in the Downs, and at Plymouth, at the time their Lordships received the charge against me, have all of them been chosen by their Lordships to be at Portsmouth, in a situation to sit at my trial.

I am, Sir,

Your very humble servant,

A. KEPPEL.

Ph. Stephens, Esq.

Portsmouth, 4th Jan. 1779.

S I R,

I made an early application to the Lords Commissioners of the Admiralty, after being acquainted by Mr. Secretary Stephens, that their Lordships intended that a court martial should be held for trying me on a charge of misconduct and neglect of duty on the 27th and 28th of July last, exhibited against me by Vice-admiral Sir Hugh Palliser, that the captains of the King's ships serving in the fleet under my command on the 27th of July, might be summoned, and likewise other officers: and since having notice given me, that the court martial is ordered to be assembled for my trial on Thursday the seventh instant, and that you are to act in your office as Judge Advocate at the said trial; I therefore think it proper to acquaint you, that I desire the witnesses whose names are inserted in the list that accompanies this,

may be summoned to attend to give their evidence before the court. Others that occur to me, that I may have occasion to call for, I will transmit to you their names in time, as I may judge their evidence material or necessary.—You will observe in the list of witnesses the names of the Honourable Captain Windsor and Lieutenant Bertie, late of his Majesty's ship the Fox.—Mr. Secretary Stephens has acquainted me, in consequence of my application to the Lords Commissioners of the Admiralty, that they have desired Lord Weymouth, one of his Majesty's Principal Secretaries of State, to take such measures as should appear to him to be proper for procuring their appearance at my trial.—Though the evidence of those gentlemen may be material, I have informed their Lordships, through Mr. Stephens, that should they not arrive by the day fixed for the assembling the court martial, I do not desire it may be put off on that account; however, I shall be glad to know from you, Sir, the result of the measures taken for their return to England, and if they are likely to be here by the 7th instant.—I beg likewise to be informed if there is any objection to the captains sitting as members of the court martial to be held for my trial, who have been summoned as witnesses either by me or Sir Hugh Palliser.

I am, Sir,

Your very humble servant,

A. KEPPEL.

George Jackson, Esq.
Judge Advocate.

PH,

APPENDIX to the CHRONICLE. [293]

PH. STEPHENS, Esq; in answer to mine of the 2d.

Admiralty-office, 4th Jan. 1779.

S I R,

I have communicated to my Lords Commissioners of the Admiralty your letter of the 2d instant, acquainting them, that you have given your word of honour to the Provost Marshal to be at Portsmouth on the 7th instant, at the court martial to be held for your trial; you was about to set out for that place, and desiring to be informed, whether the flag officers who were commanding at the Nore, in the Downs, and at Plymouth, at the same time their lordships received the charge against you, have all of them been chosen by their lordships to be at Portsmouth in a situation to sit at your trial; and I am in return to acquaint you, that their lordships have ordered the flag officers who were commanding at the above mentioned places, at the time they received the charge against you, to repair immediately to Portsmouth, and hoist their flags. I have the honour to be, Sir,

Your most obedient,
humble servant,

PH. STEPHENS.

Hon. Admiral Keppel, Portsmouth.

Extract of a letter from Sir Hugh Palliser to Admiral Keppel, dated Formidable, at sea, 9th of October, 1778.

" These prizes coming in our way are not unacceptable, but I know you would rather meet the French fleet.

" I am, with the greatest regard and respect, dear Sir, your most obedient

humble servant,
" HUGH PALLISER."

Extract of a letter from Sir Hugh Palliser to Admiral Keppel, dated Pallmall, 3d Nov. 1778.

" I think myself much intitled to have my conduct on the day we engaged the French fleet justified by you, Sir, as commander in chief, from those foul aspersions, that I confess I have been expecting your offer to do it; I have waited for your coming to town to ask it; being now informed of your arrival, I lose no time in desiring you will contradict those scandalous reports that have been propagated as aforementioned, by publishing in your own name the inclosed paper, which I have the honour to inclose herewith, or something to that effect that may be more agreeable to you, and as may be agreed on, if you will permit me the honour to wait on you to-morrow morning.

" I must beg the favour of your speedy answer, that my honour and reputation may not be farther wounded by delays.

" I am very respectfully,

" Sir,

" Your very obedient,

" humble servant,

" HUGH PALLISER."

To the Honourable

Admiral Keppel, &c.

" Having seen a paragraph in the Morning Intelligencer of the 5th of last month, highly reflecting on the conduct of vice-admiral Sir Hugh Palliser, on the 27th of July last, when the fleet under my command engaged the French fleet; and the vice-admiral having informed me, that reports to the same purpose

294] ANNUAL REGISTER, 1779.

“ purpose have been propagated
 “ by some of the officers of the
 “ Victory; I think it necessary,
 “ in justice to Sir Hugh Palliser,
 “ to publish to the world, that
 “ his conduct on that day was in
 “ every respect proper, and be-
 “ coming a good officer; and I
 “ further declare, that when I
 “ made the signal in the evening
 “ for the ships to windward to
 “ bear down into my wake, and
 “ afterwards for particular ships
 “ of Sir Hugh’s division to do so;
 “ he repeated those signals pro-
 “ perly, and that the calling his
 “ and vice-admiral Sir Robert
 “ Harland’s division into my wake
 “ in the evening, was not for the
 “ purpose of renewing the battle
 “ at that time, but to be in readi-
 “ ness for it in the morning; that,
 “ in obedience to the said signals,
 “ such of the ships of Sir Hugh
 “ Palliser’s division as were in
 “ condition for it, did immediate-
 “ ly bear down, as did the rest so
 “ soon as they were able; so that
 “ Sir Hugh Palliser and his whole
 “ division were all in my wake
 “ accordingly the next morning
 “ before day-light, ready for en-
 “ gaging.”

*Votes of Thanks of the two Houses of
 Parliament, and of the City of
 London, to the Hon. Admiral
 Augustus Keppel.*

(COPY)

SIR,

I have the satisfaction to have
 received the commands of the
 House of Lords, *nemine Dissentiente*,
 to transmit to you the thanks of
 their lordships for your conduct in
 defending this kingdom, protecting

its trade, and maintaining the ho-
 nour of the British flag, expressed
 in the fullest and highest sense of
 applause.

No private voice can add to so
 splendid an encomium:—permit
 me, however, to congratulate you
 on this distinguishing mark of ap-
 probation, which a grateful coun-
 try confers on your zeal and merit
 in the service of the public.

I have the honour to be,

Sir,

Your most obedient,
 humble servant,

THURLOW.

Ormond-street, 16 Feb.

1779.

To the Hon. Adm. Keppel.

Die Martis, 16 Februarii, 1779.

Ordered, *nemine Dissentiente*, by
 the Lords Spiritual and Temporal
 in Parliament assembled, That the
 thanks of this House be given to
 the Hon. Admiral Augustus Keppel,
 for his distinguished courage, con-
 duct and ability in defending this
 kingdom in the course of the last
 summer, effectually protecting its
 trade, as far as his command ex-
 tended, and more particularly for
 his having gloriously upheld the
 honour of the British flag on the
 27th and 28th of July last; and
 that the Lord Chancellor do cause
 the same to be transmitted to the
 said admiral.

ASHLEY COWPER,
 Cler. Parliamentor.

My Lord,

The very distinguished notice
 which the House of Lords has been
 pleased to take of my services in
 the course of the last summer,
 confers on me the highest honour;
 the

APPENDIX to the CHRONICLE. [295

the advantages which their lordships have thought worthy of their thanks, are due to God's blessing, to the gallant behaviour of many great and able officers who have served in the fleet, and to the bravery of the seamen. I can only say, that the warmest gratitude for this great honour and favour will make me ever desirous of meriting it by the most strenuous endeavours to serve my country.

I beg leave to return your lordship my best thanks for the flattering and polite manner in which you have been pleased to communicate to me the resolution of the House.

I have the honour to be,

with much respect,

Your lordship's most obedient,
and very humble servant,

A. KEPPEL.

Audley-Square,

Feb. 17, 1779.

*To the Rt. Hon. Lord Thurlow,
Lord Chancellor.*

(C O P Y)

Jovis 18^o Die Februarii, 1779.

Admiral Keppel being come to the House; Mr. Speaker acquainted him, that the House had, on the 12th instant, ordered that the thanks of this House be given to him, for his distinguished courage, conduct, and ability, in defending this kingdom in the course of the last summer, effectually protecting its trade, and more particularly for his having gloriously upheld the honour of the British flag on the 27th and 28th of July last; and Mr. Speaker gave him the thanks of the House accordingly, as followeth, *viz.*

Admiral Keppel,

This House have done you the distinguished honour of ordering

their thanks to be given to you; an honour never conferred but upon extraordinary merit; which thanks it is my duty to communicate to you in your place.

After having sat so long in this chair, I hope it is unnecessary to declare, that I have been always happy to obey the orders of the House; and I have now a particular satisfaction in that obedience.

—Indeed, every generous mind must feel satisfaction, when the day of honourable acquittal succeeds to the day of severe trial; and this pleasure was, I believe, never more general, nor more sincere, than upon the present occasion.

You, Sir, was called by your Sovereign, with the approbation of all descriptions of men, particularly those of your own profession, to a station of the utmost difficulty, and of the highest importance. The safety of this country, and the honour of the British flag, were trusted in your hands, when the enemy was expected upon our coast; and, notwithstanding the most able discharge of this great and momentous trust, you was accused of misconduct and neglect of duty. But, after a very long and full investigation, by men in every respect the best qualified to judge, that charge appeared to be ill-grounded and malicious; and your judges have unanimously and honourably acquitted you, and have further added, that your conduct on the 27th and 28th days of July last, was that of a judicious, brave, and experienced officer. Surely then it cannot be matter of surprise that extraordinary marks of respect and esteem are shewn to such a character. We now know with certainty that our confidence in

296] ANNUAL REGISTER, 1779.

you was not misplaced; and we entertain a well-grounded hope that there still remain amongst the naval officers talents and abilities fully equal to this dangerous crisis.

Amidst this general joy, I cannot help repeating the singular pleasure which I feel in giving you the thanks of this House, which I now do, for your distinguished courage, conduct, and ability, in defending this kingdom in the course of the last summer, effectually protecting its trade, and more particularly for your having gloriously upheld the honour of the British flag on the 27th and 28th of July last.

Upon which Admiral Keppel said,

Mr. Speaker,

It is impossible, by any expressions I can use, to do justice to my feelings of gratitude to the House, for the honour they have done me by their approbation of my conduct.

The good opinion of my fellow citizens, expressed by the representatives of the nation, cannot but be received by me as a most acceptable addition to the satisfaction I felt in the recent sentence, to which you have been pleased to allude, of a court martial; the result of a full and deliberate inquiry, expressive of their sentiments of the subject referred to their examination, in terms equally honourable to themselves and to me.

The pleasure I feel at this moment is not a little heightened by the unavoidable recollection of the very different emotions I felt when I was last in this House, and in this place.

I should be guilty of great injustice, if, on an occasion like the

present, I neglected to inform this House, that my efforts for the public service, in the instances in which the House has been pleased to distinguish them, were most zealously seconded by many as gallant and able officers as the navy of England ever produced; to whose attention and spirit, next to the divine providence, the success of these efforts ought to be in a great measure ascribed.

I cannot sit down without returning to you, Sir, personally, my particular thanks, for the very obliging terms in which you have executed the commands of the House.

On Saturday the 20th of Feb. the committee appointed to present Admiral Keppel with the freedom of the city, having waited on him at his house; Mr. Crosby, the senior alderman, addressed him in the following manner:

“ Admiral Keppel,

“ The citizens of London, amidst the acclamations of a grateful people, beg leave to express their joy on your honourable acquittal from a very heavy and severe charge of neglect and misconduct on the 27th and 28th of July last; a charge which appeared on your trial to be ill-founded and malicious.

“ The committee, Sir, who now have the honour to wait on you by order of the lord-mayor, aldermen, and commons of the city of London, in common council assembled, are happy in this opportunity to testify their approbation of your conduct in the many signal services done to your country.

“ I

APPENDIX to the CHRONICLE. [297

"I think, Sir, I cannot express their sentiments better, than by reading to you the unanimous resolutions of the court of common council."

Plumbe, Mayor.

Resolved unanimously, That the thanks of this court be given to the Honourable Augustus Keppel, admiral of the blue, for his long and faithful services to this country; for his ready acceptance, at the call of his Sovereign, of the important charge of commander of the British fleet in time of imminent danger; for the anxious attention that appears in every instance of his conduct, to the safety of this country; for his judicious, able, and spirited behaviour on the 27th of July last, in his attack on the French fleet; for his glorious and gallant efforts to renew the engagement in the afternoon of that day; efforts rendered unsuccessful through the want of obedience to his orders by the vice-admiral of the blue; for the great protection given by him to our trade, to which entirely we are indebted for the safe arrival of the East and West India fleets; for his animating conduct and example, happily followed by such signal exertion of spirit and intrepidity in the officers and seamen of the British fleet, as conveyed terror to our enemies, and obliged them to seek shelter in their own ports by an ignominious flight.

Resolved unanimously, That the freedom of this city be presented in a box, made of heart of oak, with a proper device, ornamented and embellished with gold, to the Hon. Augustus Keppel, admiral of the blue, as a testimony of the

very high respect and gratitude which the members of this court entertain of his long and faithful services to his country.

R. I. X.

Admiral Keppel's answer.

"I receive, with the greatest sense of gratitude, the approbation which the city of London has been pleased to shew of my endeavours to serve my King and country. The constitutional zeal which this great city has ever testified for the liberties of this kingdom, and for the succession in his Majesty's Royal House, renders every mark of their regard a very high honour. I am happy, that the care of many excellent officers and brave seamen, under my command last summer, has contributed to the preservation of their trade, which makes so large a part of the national interest."

Extract of a Letter from Lieutenant-General Burgoyne to his Constituents, upon his late Resignation; with the Correspondence between him and the Secretaries of War, relative to his return to America.

ON the 9th of October, 1779, Lieut. Gen., Burgoyne resigned the command of the Queen's regiment of light dragoons, the government of Fort William, and his appointment on the American staff. As this resignation appears to have been occasioned by circumstances of a very extraordinary and singular nature, we have thought it proper, in a work of this kind, to lay before the public the correspondence at large which passed between him and the Secretaries of War, together with such

mind, that my ruin was made a measure of state. Few adepts in the science of oppression could have formed a design better fitted to its end; and it was likely to be successful, whatever part I should take. If I went — my character was lost irretrievably — the falsehoods and aspersions that have since been refuted in the face of those who propagated them, were already gone forth: the numbers of my army, and of that opposed to me, were already grossly mistated; contradictory charges of sloth and precipitancy, as the temper of men at the moment seemed inclined to either, were supported with uniform perseverance: — my friends were stated to be my accusers; and even my integrity, with regard to pecuniary trusts, was glanced at.

If I stayed, the King's order (as it was fallaciously called) was a specious topic; and it was not difficult to foresee, that it would be put into the hands of gentlemen that well knew how to make the utmost of it by art and opportunity. My answer [No. 2.] drew from the cabinet their second letter [No. 3.]; and I gave them the satisfaction of knowing, that I felt all they could wish I should feel from the repetition of their severity. I saw in it at once a doubt of my veracity respecting my health, and the most contemptuous disregard of all other principles upon which I had claimed a right of staying in this country. — Fundamental principles, I thought them, of justice and generosity due from all governments to those who serve them zealously, and in some governments held

doubly due to such as in their zeal have been unfortunate.

It must be observed, that the ministry kept a profound silence, both to myself and the public, respecting the ratification of the convention. The same silence they maintained even in parliament long after its meeting. They were perfectly apprised, that the enemy had some time before made the want of that ratification the ground of their refusing to give effect to the part of the treaty which was favourable to the troops. They knew also, that one of the principal objects of my return to England was to negotiate in behalf of that deserving body of soldiers and subjects. Their desire of my delivering myself into captivity, at such a time, and under such circumstances, justified something more than a suspicion, that in my absence it was intended either to lay to my charge some breach of faith with the enemy; or to renounce the treaty from the beginning, and by my surrender, to transfer the act from the nation to my person. These are the only two cases which I believe can be produced from the history of nations, wherein an officer, who had made a convention with an enemy, had been delivered up to them. The ratification of the treaty afterwards is no proof that such intentions did not then exist.

I will make no farther observations, Gentlemen, upon this first correspondence between the War-office and me; nor should I have troubled you with these, but that great pains are taken to divert the attention of the public from the pretended order, to my behaviour since

APPENDIX to the CHRONICLE. [301

since the receipt of it. I in no wise seek to evade the public judgment upon any thing I have done: but I claim from the impartial and the candid, a consideration of the pretended order itself, in its principal parts, *viz.* the ground upon which it is founded; the novel species of cruelty which it supposes within the power of the crown; and lastly, the exercise of such doctrine by men who were parties, and against the man whom they were called upon by their station and their honour to confront.

Nothing farther passed during the recess of parliament. I availed myself of a discretionary power, as I had a right to do, and I made it no secret, that had a direct order been sent me, I should have laid all my commissions at his Majesty's feet.

During the last session of parliament, an inquiry was instituted. The detail of the attempts made by the ministry to defeat it, is too notorious to be necessary upon this occasion. They at last contrived that it should be left imperfect: but in spite of every management, it had answered my purpose so far, as to fix upon record a body of evidence, that I would not exchange for all that power could bestow. It is a justification of misfortune by the voice of honour. It is there apparent, what the army under my command, who felt most and saw best, thought of my actions.—The affections of my gallant comrades, unshaken in every trial, labour, famine, captivity, or death, enable me to despise the rancour of a cabal and all its consequences.

The most important purpose of my return to England having been answered by this vindication, I thought the sacrifice of my commissions, the fruits of the greatest part of my life, not to be necessary. I knew by experience what I had to apprehend in point of health from an American winter; but I scorned to plead it. Conscious of my integrity, I abandoned my public accounts to the rigorous scrutiny of office; and I took occasion publicly to declare, that should it still be thought expedient to deliver me back to the enemy, and a positive order should be sent me for that purpose, I should, as far as in me lay, obey it.

I do not believe any man who knows me doubted the sincerity of that intention. I am persuaded, the framers of the letter of the 24th September were particularly convinced of it. The man who embarked in the situation I did, in the year 1776, could hardly be supposed to want fortitude to undertake an American voyage, in the situation in which I made the declaration. An order, therefore, which I could have obeyed without committing my honour, would not have effected my ruin. Time, and circumstances furnished more secure expedients; which I shall now open.

Occasions were taken to visit my offences upon my friends. Examples respecting my nearest connections need not be pointed out, when I am addressing myself to any part of the county of Lancaster. But the principle extended far more wide; and did not the apprehension of farther hurt-
ing

ing the men I love restrain me, I could produce instances of hardship in the distribution of military preferments, that no impartial person will impute to any other cause than the kindness and friendship of the parties to me.

These instances of persecution, it was well known, affected me deeply. There were others yet more irritating.

In the course of the summer, the apprehensions before entertained of an invasion, by the declaration of government, became a certainty. Hardly a British subject could be found so low, so feeble, or even so profligate, as to be exempted from service; while uncommon premiums were raised by begging, and distributed to volunteers, the gaols, and even the feet of the gallows, were resorted to for other recruits.

In this declared dilemma, I know government were not strangers to my intention of fighting my own regiment as colonel; or, should its destination not admit the honour of meeting the enemy in that capacity, of offering myself as a volunteer in the ranks of any corps that might be more fortunately situated.

These several feelings, and many others incident to an oppressed man, were doubtless duly considered; for at the crisis when they could operate most forcibly, it was thought proper most to insult me; at the crisis when the King's servants openly announced,

that not a ship or a soldier could be spared from our internal defence, a sentence of banishment was sent me, and even that not in an order, but a reprimand;—a submission to ignominy was required of me; for to put me wholly out of a capacity to draw my sword at such a moment, was virtually, in point of disgrace, to break it over my head. My enemies might have spared superfluous provocations. This alone would have sufficed to prove their sagacity, and to effect their purpose. Let it not be supposed they want knowledge of the human heart. There are among them, who can discern its recesses, and have the skill and the triumph to make a soldier's honour and sensibility the instruments of his own destruction.

I could no longer brook the treatment I received. My letter of the 9th October to the Secretary at War, [No. 5.] contains my general sentiments.*

Correspondence with Lord Barrington.

[No. 1.]

War-Office, June 5, 1778.

S I R,

The King, judging your presence material to the troops detained prisoners in New England, under the convention of Saratoga; and finding in a letter of yours to Sir William Howe, dated April 9, 1778, "that you trust a short time at Bath will enable you to return to America*," his Majesty's

* Paragraph of the letter from Lieutenant General Burgoyne to Sir William Howe, which was made the foundation of the above conditional order.

"I need not expatiate upon the satisfaction I should feel at being put again in a situation to serve under you, as soon as my health will enable me.—I trust that a very short time at Bath will effect that purpose.

"I have

APPENDIX to the CHRONICLE. [303

jesty is pleased to order that you shall repair to Boston, as soon as you have tried the Bath Waters, in the manner you propose.

I have the honour to be,

Your most obedient;
humble servant,

BARRINGTON.

*Lieut. Gen. Burgoyne,
Hertford-Street.*

[No. 2.]

June 22, 1778.

My Lord,

I have considered the letter I had the honour to receive from your lordship on the 5th instant, with the attention and respect due to an intimation of the King's pleasure. I have now to request your lordship to lay before his Majesty a few particulars of my situation; and to offer to his royal consideration, with all humility on my part, such of my complaints as admit of representation.

My letter to Sir William Howe, referred to in your lordship's letter, was writ in the fulness of zeal to renew my service in arms the ensuing campaign. The satisfaction of succeeding in that application, would have tended to my recovery, or for a time might have prevented my feeling an ill. Deprived of so animating a support, and visited by new and unexpected anxieties, I have now recourse only, as far as the mind is concerned, to a clear conscience, perhaps a more tardy, but, I trust, as efficacious an assistance.

The present season of the year, always favourable to me, gives me the appearance, and indeed, in some degree the sensation of health. But much care is still wanting to restore me to my former state. The remedies prescribed me are: repose, regimen of diet, and repeated visits to Bath: my intention, in consequence, was to remain some time in the country, to repair to Bath for a short time next month, and to return thither for a much longer space in the more proper season, the autumn. But whatever may be the benefit of all or any part of this plan, I am persuaded, that to expose my constitution to the next American winter, is in probability to doom me to the grave.

That I should not hesitate at such an alternative, in circumstances of exigency, I am confident the King will admit, when in his grace he shall recollect how often, at his Majesty's call in this war, I have relinquished private duties and affection, more impulsive upon the heart than any we owe to existence. The purposes intimated for my present attendance in America, would, I fear, be very different from services.

The army I commanded, credulous in my favour, and attached to me by the series of conflicts and misfortunes we have in common sustained, would not find material consolation from my return in disgrace; and their disappointment could not but be enhanced by such an indication, that government ci-

"I have only to add, my trust that you will continue to me the friendship
"and confidence with which you have always honoured me, and that you
"will write to me at full by the first opportunity, how I can be employed to
"serve your views.
I have the honour to be, &c."

ther thought it inexpedient to ratify the convention of Saratoga, or depaired of a ratification effectuating the redemption of that army; for they would not conceive it possible, had the return of the troops been in view, that any person would have advised the King to what then might have appeared so harsh an act as sending an infirm, caluminated, unheard complainant, across the Atlantic, merely to inspect their embarkation.

Your lordship will perceive the parts of this letter which apply to the council of the throne, from whence I am to suppose the order I have received originated, and in your justice and generosity you will guard me, my lord, from any supposable presumption of expostulating with the King in person. But I apply to the same qualities in your lordship's mind, for pointing out to his Majesty, independently of his council, other letters, among those transmitted to the Secretary of State, alledging other reasons, and those more prevalent than the attention to health, for my return to England; and permit me, my lord, to add, that every one of them receives tenfold weight from what has happened lately, for my continuance in England. The special reason upon which I chiefly rest at present, my lord, is a vindication of my honour.

Until that by full and proper trial is cleared to my Sovereign and to my country, I confess I should feel a removal from hence, though enforced by the term duty, the severest sentence of exile ever imposed; and when the time and circumstances of such removal are farther considered, that Britain is threatened with invasion, and that

after an enemy has set my arm at liberty, I am forbid a share in her defence by the council of my own Sovereign.—After these considerations, can I, my lord, be deemed offensive if I venture to declare that so marked a combination of displeasure and hard treatment, would be more than I should be able, or perhaps ought to bear.

My cause, my lord, thus committed to your office and character, I have only to add my reliance that you will do it justice, and the respect with which I have the honour to be, &c. &c. &c.

Lord Barrington.

[No. 3.]

War-Office, June 27, 1778.

S I R,

I took the first opportunity of laying before the King your letter to me, dated the 22d instant. His Majesty continues to think your presence with the troops taken at Saratoga, and still detained prisoners in New England, of so much importance to them, that he has commanded me to acquaint you it is his pleasure, that you return to them as soon as you can, without any risk of material injury to your health.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

BARRINGTON.

Lieut. Gen. Burgoyne.

Correspondence with Mr. Jenkinson.

[No. 4.]

War-Office, Sept. 24, 1779.

S I R,

I am commanded by the King to acquaint you, that your not returning

APPENDIX to the CHRONICLE. [305

turning to America, and joining the troops, prisoners under the convention of Saratoga, is considered as a neglect of duty, and disobedience of orders transmitted to you by the Secretary at War, in his letter of 5th June, 1778.

I have the honour to be,

&c. &c. &c.

(Signed) C. JENKINSON.

Lieut. Gen. Burgoyne.

[No. 5.]

Hertford-Street, Oct. 9, 1779.

S I R,

I received your letter acquainting me, "that my not returning to America, and joining the troops, prisoners under the convention of Saratoga, is considered as a neglect of duty, and disobedience of orders transmitted to me, by the Secretary at War, in his letter of 5th June, 1778."

During a service of more than thirty years, I have been taught, by the rewards of two successive Sovereigns, to believe, that my military conduct was held deserving of more favourable terms than those which are applied to it in the above recital. I have received from his present Majesty in particular, repeated and conspicuous testimonies of distinction and good opinion: and I should have been the most ungrateful of men, if I had not felt, and uniformly endeavoured to mark the warmest and most dutiful attachment to his person, together with a punctilious perseverance in the execution of all his lawful commands.

Under this sense of my past situation, your letter, stated to be written by the King's command, cannot but affect me most painfully.

VOL. XXII.

The time in which I am charged with neglect of duty, has been employed to vindicate my own honour, the honour of the British troops, and of those of his Majesty's allies, under my late command, from the most base and barbarous aspersions, that ever were forged against innocent men, by malignity supported by power.

In regard to the second charge, I must first observe that there were two letters from the late Secretary at War, upon the subject of my return to America; and though you only state that of the 5th of June, I conclude it is not meant, that the other of the 27th should be suppressed, as it is explanatory of the former.

The signification of the King's pleasure therein contained being clearly conditional, and the condition depending upon my own judgment; I am unable to conceive by what possible construction it can be considered as disobedience, that I have not fulfilled an optional condition; and I am ready and desirous to meet the judgment of a proper tribunal upon that, as upon every other part of my conduct.

In the mean time, Sir, I am not told who it is that considers my taking advantage of my parole for the purposes I have done, as a neglect of duty, and breach of orders, and has so represented it to his Majesty. But in this state of ignorance concerning my enemies, I must say, as well from duty to my Sovereign, as from justice to myself, that they who have abused the confidence of their gracious master, by such a gross misrepresentation, merit, and I trust will meet with more of his displeasure,

[U]

than

than they wickedly have drawn upon me.

The punishment implied in the order referred to, you will observe, Sir, is unusual as well as cruel. Whether the Ministers of the crown, can legally order a British subject into captivity either at home or abroad without trial; or whether they can compel an officer by virtue of his general military obedience, to deliver himself to the prison of the enemy, without any requisition on their part, is (to say nothing stronger of it) matter of serious doubt. On pretence of military obedience, I am ordered to the only part of the world in which I can do no military service. An enemy's prison is not the King's garrison, nor is any thing to be done or suffered there, any part of an officer's duty; so far from it that it implies a direct incapacity for any military function. What are the military orders I am to give to men who have no arms to fight, and no liberty to march? Or by what rule is my not being in the hands of rebels, understood to be a neglect of duty to my Sovereign? Sir, the thing is too evident; those who calumniate my conduct on this account are desirous not of serving the King, but of insulting me, and of establishing new, dangerous, unmilitary and unconstitutional powers in themselves.

While a precedent is establishing in my particular case, I request it may moreover be remembered that I am deprived of a court martial upon my conduct in America, because I am not supposed to be amenable to the justice of the kingdom: and the King is told I have disobeyed his orders, in the very

same breath that I am stated not to be accountable to him: by this doctrine it seems supposed, that I am not capable of receiving orders for the purposes of public justice or public service, but am perfectly subject to all such as have a tendency to my own destruction.

But it has been suggested when no military duty could be devised as a ground for this order that I might be returned to captivity in a sort of civil capacity. To comfort my fellow prisoners by a participation of their sufferings, and to act as a commissary to negotiate for them. Could any sufferings of mine alleviate the smallest of theirs, I should willingly submit to any thing the malice of the present Ministers could inflict upon me. But it is equally injurious to truth and to their honour and humanity, to suppose that my persecution could make any part of their consolation. What consolation could they derive from my junction to the common captivity, only to tell them that not a name among them is to be found in the numerous list of late promotions? And that the negotiations to be undertaken in their favour, are to be conducted by the man who is notoriously proscribed by the power in the name of which he is to negotiate? Who alone of all the officers who have come from America, has been denied all access to the King? Cruelly as I and my fellow-sufferers are treated; I can scarce bring myself to wish, that they who provide such comfort for others, should receive it in a similar situation themselves.

I am sorry finally to observe, that the treatment I have experienced, however contradictory in

APPENDIX to the CHRONICLE. [307

the reasons assigned for the several parts of it, is perfectly uniform in the principle. They who would not suffer me to approach the King's presence to vindicate myself before him; who have held that I cannot have a court martial to vindicate myself to my profession; and who have done all they could do, to prevent me from vindicating myself to my country by a parliamentary enquiry; are now very systematically desirous of burying my innocence and their own guilt, in the prisons of the enemy, and of removing, in my person, to the other side of the Atlantic Ocean, the means of renewing parliamentary proceedings which they have reason to dread.

Those extraordinary attempts to oppress in my person the rights of all subjects, and to pervert every idea of military obedience, by directing it, not to the service of the public, but the ruin of officers, justified me to my own conscience, in the part I took under the conditional order, referred to in your letter. I found the same inward justification in requiring, in the most public manner, at the close of the late session of parliament, a clear, peremptory order, in case the Ministers persevered in their intention of surrendering me to the enemy.

I have received no order; had an order been sent to me framed in any manner that I could have acted upon it consistently with the existence of character; I might have made a protest against the precedent; I might have enquired of you, Sir, by what probable means in the present posture of affairs it was to be executed. But in deference to the King's name, as a

military servant, I meant submission. Your letter, Sir, instead of an order for my future conduct, is an unjust reproach of my past; for which I humbly implore of his Majesty, and firmly demand of his councils, trial by a court martial. Should that be refused or procrastinated upon the principle formerly adopted, "that in my present situation no judicature can have cognizance of my actions;" I can then consider the purport of your letter, Sir, in no other light than that of a dismissal, a dismission as conclusive as any you could have worded in form, and perhaps more poignant. To eat the bread of the crown, however faithfully earned, under a sentence, without appeal, in the name of the King, of neglect of duty and disobedience of orders, is incompatible with my conception of honour; an interdiction from my country; a banishment to the only part of the world in which I am disabled from serving that country at the moment of her fate; and when every other arm, even to the weakest, is pressed to her defence; these circumstances give a critical barbarity to the intentions of the King's advisers, that an English foldier cannot support. Therefore, Sir, I find myself compelled, if not allowed an early trial, or by the King's grace, upon this representation, restored to a capacity of service, through your official channel to request his Majesty, to accept of my resignation of my appointment upon the American staff, of the Queen's regiment of light dragoons, and of the government of Fort William, humbly desiring only to reserve my rank as lieutenant-general in the army,

308] ANNUAL REGISTER, 1779.

to render me the more clearly amenable to a court martial hereafter, and to enable me to fulfil my personal faith, should I be required by the enemy so to do.

I have the honour to be,
&c.

*The Right Hon. Charles Jenkinson,
Secretary at War.*

[No. 6.]

War-Office, Oct. 15, 1779.

S I R,

I have received your letter of the 9th instant, wherein, after stating your reasons for objecting to the several steps that have been taken with relation to the orders given for your return to North America, you add, that "if you are not allowed an early trial, or if by his Majesty's grace, upon the representations contained in the said letter, you are not restored to a capacity of service, it is your request to his Majesty, that he will be pleased to accept your resignation of your appointment to the American staff, of the Queen's regiment of light dragoons, and of the government of Fort William; humbly desiring only to reserve your rank of lieutenant-general in the army, to render you more clearly amenable to courts martial hereafter, and to enable you to fulfil your personal faith, should you be required by the enemy so to do."

Having laid your letter before the King, I am commanded to acquaint you, that for the reasons submitted to his Majesty by the Board of General Officers, in their report, dated 23d May, 1778, (which reasons subsist in the same force now as they did at that time)

his Majesty does not think proper that any part of your conduct should be brought before a military tribunal, so long as you shall continue engaged to re-deliver yourself into the power of Congress upon their demand, and due notice being given by them. Nor does his Majesty think proper, in consequence of the representations contained in your said letter, to restore you, circumstanced as you are, to a capacity of service. Neither of these requests can therefore be granted.

I have it farther in command from the King to acquaint you, that his Majesty considers your letter to me as a proof of your determination to persevere in not obeying his orders, signified to you in the Secretary at War's letter of the 5th of June, 1778: and for this reason, his Majesty is pleased to accept your resignation of the command of the Queen's regiment of light dragoons, of the government of Fort William, and of your appointment on the American staff, allowing you only to reserve the rank of lieutenant-general in the army, for the purposes you have stated.

Lord Barrington's letter of the 27th of June is considered as explanatory of the orders given in his letter of the 5th of that month.

I have the honour to be,
&c.

(Signed) C. JENKINSON.
Lieut. Gen. Burgoyne.

[No. 7.]

Hertford-Street, Oct. 17, 1779.

S I R,

I received your letter of the 15th instant, informing me, that his Majesty had been pleased to accept
6 my

APPENDIX to the CHRONICLE. [309]

my resignation of my military employments, and that I am refused a court martial upon that disobedience, for my perseverance in which, you tell me my resignation is accepted.

I must persist in denying, that I have received any other order, than an order subject to my own discretion.

I must persist in my claim to a court martial.

I apprehend, that if I am not subject to a trial for breach of orders, it implies that I am not subject to the orders themselves.

I do not admit that I cannot legally have a court martial, circumstanced as I am: but those who advise his Majesty, assert it, and they are answerable for this contradiction between their reasoning and their conduct.

The report of the general officers, I humbly conceive, is erroneous. And the subsequent appointment of other gentlemen, exactly in my circumstances (with great merit on their part to entitle them to any distinction) to military employments, subject to orders, and accountable for the breach of them, is one of the reasons for my conceiving, that the King's advisers do not differ from me in opinion, that the general officers were mistaken.

Thinking it probable, Sir, that this letter may close the correspondence between us, I conclude with the sentiments I have never deviated from in any part of it; and I request you to assure his Majesty, with all humility on my part, that though I have reason to complain heavily of his Majesty's Ministers, my mind is deeply impressed, as it ever has been, with a sense of duty,

respect, and affection to his royal person.

I have the honour to be,
&c.

*The Right Hon. Charles Jenkinson,
Secretary at War.*

[No. 8.]

War Office, Oct. 22, 1779:

S I R,

I have the honour to acknowledge the receipt of your letter, dated the 17th instant, and to acquaint you, that I took the first opportunity of laying it before the King.

I have the honour to be,
Sir,

Your most obedient,
humble servant,
C. JENKINSON.

*Lieut. Gen. Burgoyne,
&c. &c. &c.*

Admiralty Office, Oct. 12, 1779.

A Letter from Captain Pearson, of his Majesty's ship *Serapis*, to Mr. Stephens, of which the following is a Copy, was yesterday received at this Office:

*Pallas, French Frigate, in Congress
Service. Text, Oct. 6, 1779.*

S I R,

YOU will be pleased to inform the Lords Commissioners of the Admiralty, that on the 23^d ult. being close in with Scarborough, about eleven o'clock, a boat came on board with a letter from the bailiffs of that corporation, giving information of a flying squadron of the enemy's ships being on the coast, and of a part of the said squadron having been seen from thence the day before, standing to the southward. As soon as I re-

[U] 3

ceived

ceived this intelligence, I made the signal for the convoy to bear down under my lee, and repeated it with two guns; notwithstanding which, the van of the convoy kept their wind, with all sail stretching out to the southward from under Flamborough Head, till between twelve and one, when the headmost of them got sight of the enemy's ships, which were then in chace of them; they then tacked, and made the best of their way under the shore for Scarborough, &c. letting fly their top-gallant sheets, and firing guns; upon which I made all the sail I could to windward, to get between the enemy's ships and the convoy, which I soon effected. At one o'clock we got sight of the enemy's ships from the mast-head, and about four we made them plain from the deck to be three large ships and a brig; upon which I made the Countess of Scarborough's signal to join me, she being in shore with the convoy: at the same time I made the signal for the convoy to make the best of their way, and repeated the signal with two guns: I then brought to, to let the Countess of Scarborough come up, and cleared ship for action. At half past five the Countess of Scarborough joined me, the enemy's ships then bearing down upon us, with a light breeze at S. S. W. at six tacked, and laid our head in shore, in order to keep our ground the better between the enemy's ships and the convoy; soon after which we perceived the ships bearing down upon us to be a two-decked ship and two frigates, but from their keeping end on upon us, on bearing down, we could not discern what colours they were under: at about twenty

minutes past seven, the largest ship of the three brought to, on our larboard bow, within musquet shot: I hailed him, and asked what ship it was; they answered in English, the Princess Royal; I then asked where they belonged to; they answered evasively; on which I told them, if they did not answer directly, I would fire into them; they then answered with a shot, which was instantly returned with a broadside; and after exchanging two or three broadsides, he backed his top-sails, and dropped upon our quarter within pistol-shot, then filled again, put his helm a-weather, and run us on board upon our weather quarter, and attempted to board us, but being repulsed, he sheered off; upon which I backed our top-sails, in order to get square with him again, which, as soon as he observed, he then filled, put his helm a-weather, and laid us athwart hawse; his mizen shrouds took our jib boom, which hung him for some time, till it at last gave way, and we dropt alongside of each other, head and stern, when the fluke of our spare anchor hooking his quarter, we became so close fore and aft, that the muzzles of our guns touched each others sides. In this position we engaged from half past eight till half past ten; during which time, from the great quantity and variety of combustible matters which they threw in upon our decks, chains, and in short into every part of the ship, we were on fire no less than ten or twelve times in different parts of the ship, and it was with the greatest difficulty and exertion imaginable at times that we were able to get it extinguished. At the

APPENDIX to the CHRONICLE. [311]

the same time the largest of the two frigates kept sailing round us the whole action, and raking us fore and aft, by which means she killed or wounded almost every man on the quarter and main decks.

About half past nine, either from a hand grenade being thrown in at one of our lower deck ports, or from some other accident, a cartridge of powder was set on fire, the flames of which running from cartridge to cartridge all the way aft, blew up the whole of the people and officers that were quartered abaft the main-mast; from which unfortunate circumstance all those guns were rendered useless for the remainder of the action, and I fear the greatest part of the people will lose their lives. At ten o'clock they called for quarters from the ship alongside, and said they had struck: hearing this, I called upon the captain to know if they had struck, or if he asked for quarters; but no answer being made, after repeating my words two or three times, I called for the boarders, and ordered them to board, which they did; but the moment they were on board her, they discovered a superior number laying under cover with pikes in their hands ready to receive them; on which our people retreated instantly into our own ship, and returned to their guns again till past ten, when the frigate coming across our stern, and pouring her broadside into us again, without our being able to bring a gun to bear on her, I found it in vain, and in short impracticable, from the situation we were in, to stand out any longer with the least prospect of success; I therefore struck, (our main mast

at the same time went by the board.) The first lieutenant and myself were immediately escorted into the ship alongside, when we found her to be an American ship of war, called the *Bon Homme Richard*, of 40 guns and 375 men, commanded by Captain Paul Jones; the other frigate which engaged us, to be the *Alliance*, of 40 guns, and 300 men; and the third frigate which engaged and took the *Countess of Scarborough*, after two hours action, to be the *Pallas*, a French frigate of 32 guns, and 275 men; the *Vengeance*, an armed brig of 12 guns, and 70 men; all in Congress service; and under the command of Paul Jones. They fitted out and sailed from Port l'Orient the latter end of July, and came north about; they have on board 300 English prisoners, which they have taken in different vessels in their way round, since they left France, and have ransomed some others. On my going on board the *Bon Homme Richard*, I found her in the greatest distress; her quarters and counter on the lower deck entirely drove in, and the whole of her lower deck guns dismounted; she was also on fire in two places, and six or seven feet water in her hold, which kept increasing upon them all night and the next day, till they were obliged to quit her, and she sunk, with a great number of her wounded people on board her. She had 306 men killed and wounded in the action; our loss in the *Serapis* was also very great. My officers and people in general behaved well, and I should be very remiss in my attention to their merit were I to omit recommending the remains of them to their lordships

lordships favour. I must at the same time beg leave to inform their lordships, that Captain Piercy, in the Countess of Scarborough, was not in the least remiss in his duty, he having given me every assistance in his power, and as much as could be expected from such a ship, in engaging the attention of the Pallas, a frigate of 32 guns, during the whole action.

I am extremely sorry for the misfortune that has happened, that of losing his Majesty's ship I had the honour to command; but, at the same time, I flatter myself with the hopes, that their lordships will be convinced that she has not been given away; but, on the contrary, that every exertion has been used to defend her; and that two essential pieces of service to our country have arisen from it; the one in wholly oversetting the cruize, and intentions of this flying squadron; the other in rescuing the whole of a valuable convoy from falling into the hands of the enemy, which must have been the case had I acted any otherwise than I did. We have been driving about in the North Sea ever since the action, endeavouring to make to any port we possibly could, but have not been able to get into any place till to-day we arrived in the Texel.

Herewith I inclose you the most exact list of the killed and wounded I have as yet been able to procure, from my people being dispersed amongst the different ships, and having been refused permission to muster them: there are, I find, many more, both killed and wounded, than appears on the inclosed list, but their names as yet I find impossible to ascertain; as soon as I

possibly can, shall give their lordships a full account of the whole.

I am, Sir,
Your most obedient,
and most humble servant,
R. PEARSON.

P. S. I am refused permission to wait on Sir Joseph Yorke, and even to go on shore.

Abstract of the list of killed and wounded.

Killed 49.—Wounded 68.

Copy of a Letter from Lieut. George, of the Rambler Cutter, to Sir Charles Hardy, giving an Account of an Engagement between his Majesty's Ship the Quebec, and a French Frigate of forty Guns.

S I R,

I BEG leave to acquaint you, that on Wednesday the 6th instant, being then in company with his Majesty's ship Quebec, Ushant bearing south 15 leagues, at day break we discovered three sail to leeward in the S. W. quarter. Captain Farmer made the signal for the Rambler to come under his stern, which I obeyed; he then asked me what I thought of them; I told him a ship, a cutter, and a Dutch hoy: he replied, he would go down and see what they were, and ordered me to keep close to him. At half past eight we plainly perceived two of them to be a large French frigate and a cutter: at nine the enemy's frigate began to fire at the Quebec, but at too great a distance to do any execution. At ten the Quebec, being within point blank shot of the enemy, hoisted her colours, and returned their fire, still edging down

APPENDIX to the CHRONICLE. [313

to come to a close engagement till she was alongside the French frigate. I immediately hoisted my colours, and stood in between the French frigate and the cutter, with an intent to cut her off from her consort, and bring her to a close engagement, which I effected; and began to engage her at eleven o'clock close alongside; (I then found her force to be sixteen six-pounders, and full of men;) we continued to engage her in the same position till within a few minutes of two o'clock, when she set all the sail she could croud, and bore from us, we not having had the luck to carry away any thing material; and the Rambler, having her gaff shot away, her top-mast shot through, the top-sail hallyards, and most of her standing and running rigging gone, and the main-sail rendered unserviceable, was incapable of following her with any hopes of coming up with her; at the same time seeing both the frigates dismasted, and the Quebec take fire, I endeavoured to get as near the Quebec as possible, in hopes of saving some of her men; but there being but little wind, and a large swell, found I could assist her no other way but by hoisting out our boat,

which I effected, and sent the master and five men armed in her, who picked up one master's mate, two young midshipmen, and seventeen more of the Quebec's people, the enemy's frigate at the same time firing at the boat*. As the Rambler was a considerable distance to leeward of the Quebec, I thought it would be in vain to send a second time.

I want words sufficient to describe the noble gallant manner of Captain Farmer's engaging the enemy for upwards of three hours and an half, that he lay alongside the frigate, which carried twenty-eight eighteen-pounders on her main deck, and twelve guns on her quarter deck and fore-castle. The Quebec continued burning very fiercely, with her colours flying, till six o'clock, when she blew up. I am much afraid, from the report of Mr. William Moore, one of the master's mates of the Quebec, that Captain Farmer, and his officers that were alive when he left the Quebec, shared the fate of the ship.

I beg leave, at the same time, to recommend to you, Sir, the officers and crew of the Rambler, who did every thing that might be expected from Englishmen. I am

* We are happy in taking this opportunity of doing that justice to the character of a brave and humane enemy, which their conduct on this occasion demands at our hands. The circumstance mentioned in Lieut. George's letter of the French frigate's firing upon our boat, is supposed to have arisen from the guns of the Quebec, some of which it is probable might have gone off during the time she was burning. However that may be, the mistake in Mr. George's account has since been sufficiently proved by the concurrent testimony of a number of the men, and some officers, belonging to the Quebec, who all owed their lives to the active humanity of the French, and were afterwards treated by them with the utmost tenderness and kindness; notwithstanding their own extreme soreness and distress at the time, with a ship nearly reduced to a wreck, a majority of their people killed or wounded, and their brave captain in the agonies of death, who spent his last breath in declaring the pleasure he received from having such an opportunity of exercising his benevolence.

happy

happy to say our loss consists of only one man who has lost his leg, the pilot shot through the arm with a musket ball, and several slightly wounded, as the enemy aimed at our masts and rigging, in which they succeeded too well. From the cutter's not returning the fire for two or three broadsides before she bore away, and seeing but few men on her decks, I conclude she suffered considerably.

I have the honour to be,
Sir,

Your most obedient,
humble servant,

JAMES GEORGE.

Account of the Trial of Mr. Stratton, and the other Members of the Council of Madras, who deposed and imprisoned their Governor, the late Lord Pigot, and were prosecuted for the said Offence, in the Court of King's Bench, by the Attorney General, in consequence of an Address of the House of Commons to his Majesty for that Purpose.

THE trial began before the Right Honourable the Earl of Mansfield in the Court of King's Bench, Westminster Hall, on Monday, December 20th, early in the morning, and lasted till two the next morning.

The Attorney General stated the facts on which the prosecution was founded in a most pathetic and eloquent speech. The principal points he insisted upon in support of the prosecution were—*First*, that Lord Pigot was sent from England by the East India Company with express instructions to restore the Raja of Tanjore.

Secondly, That the whole Council; on his arrival at Madras, and for some time after, (in the year 1775) were unanimous in their resolutions to carry these instructions into execution; but that afterwards a dissention arose, owing to some of the members of the council espousing the interest of the Nabob of Arcot and his son, who strenuously opposed the restoration of the Raja. *Thirdly*, That Lord Pigot was under a necessity to suspend Mr. Stratton and Mr. Brooke, (two of the defendants) in virtue of his authority as President, that he might not be obstructed by them in the execution of the Company's command. *Fourthly*, That the claim of Mr. Benfield on the part of the Nabob of Arcot, to a crop on the lands of Tanjore, sown by the Nabob and mortgaged to Benfield, was a fraudulent claim, calculated to foment divisions in the council and to oppose Lord Pigot in his government. This he endeavoured to prove from the improbability that Benfield, a private person of little or no property, should have been able to advance so large a sum as the claim amounted to, even allowing him very considerable profits: for his demand was 250,000*l*. *Fifthly*, He proved that the defendants signed an order for taking his Lordship into custody, and ordered Colonel Stuart, who arrested him, to inform his Lordship, that his life should answer any resistance to their orders; from which he drew an inference, that assassination was intended in case of resistance. *Finally*, He enquired by what authority this violent revolution had been accomplished. He admitted that the majority of the

APPENDIX to the CHRONICLE. [315

the council assenting to, or putting a negative upon, a question, exercised a legal power; but it did not follow, if the Governor acted wrong in not putting a question, which in the sense of the majority he ought to have put, that they had a legal power to imprison him; gentler measures might have been adopted; he was amenable to the laws of his country, but not to any assumed authority of his council. Upon the whole, however, he justified the conduct of Lord Pigot, though arbitrary, upon this ground, that it was his duty to execute the commission he had received from the Company, by restoring the Raja of Tanjore at all events.

The postillion who drove Lord Pigot's chaise when he was arrested, and Colonel Monckton, his Lordship's son-in-law, were produced as evidence of the arrest and confinement; but as the crown lawyers on the one hand admitted the facts alleged by the defendants concerning Lord Pigot's proceedings in council; and the defendants on the other avowed the arrest and confinement of his Lordship, no verbal evidence was necessary. But a great load of written evidence was essential to support the prosecution, because it turned upon the positive instructions given by the Company to Lord Pigot. The reading of these papers, containing the correspondence between the Company and Lord Pigot, with other documents, was excessively tedious, and took up several hours.

Mr. Dunning began the defence of his clients at about eight in the evening; and in the most masterly pleading that was ever exhibited

in a weak cause, displayed abilities and attachment to the interest of his clients that would have done honour to the best. After noticing the passion and prejudice which had influenced the minds of men in general with respect to the death of Lord Pigot; he cleared the defendants to the satisfaction of every one present, from the imputation of aiming at his life, and from all selfish motives. He then gave a detail of the arbitrary proceedings of Lord Pigot in the council; and in other acts of his government; such as his suspension of Sir Robert Fletcher, the commander in chief of the troops, &c. From these instances of extravagant behaviour he adduced the political necessity of removing him from the government, all public business being at a stand.

He also endeavoured to show that he had exercised powers not vested in him by the Company; and he finally rested the defence of his clients on the approbation which the supreme council of Bengal had expressed in writing, of their proceedings. Mr. Dunning did not sit down till near twelve o'clock.

The Attorney General made only two observations on the defence, *viz.* that the Company's appointment of Lord Pigot for the special purpose of restoring the Raja had not been attempted to be denied, therefore he stood justified in resisting every delay, every opposition of that measure; and that the defendants, though Mr. Benfield was in court, had not thought proper to call upon him, so well convinced were they that the sole cause of all the disturbances was that gentleman's pretended

tended claim: it showed plainly, the apprehensions they were under that the truth would come out if he was examined.

Lord Mansfield, about half after one in the morning, summed up the whole matter very concisely, observing, that the indictment was laid on five counts or charges; two for illegal assumption of government, and three for imprisoning the governor; but they differed very little, for if the defendants could be justified in the one, it went a great way to justify them in the other. Three questions were for the jury to consider; 1st, What is the constitution of the government of Madras? 2d, Whether Lord Pigot had subverted that constitution? 3dly, Whether such conduct of Lord Pigot amounted to a justification of the subsequent conduct of the defendants?

As to the first, his Lordship said, it appeared, that the government of the province was vested in the President and Council, or a majority of them legally summoned and assembled, whether the President was of the majority or minority, he having only the benefit of his casting vote in case of equality; but the governor being an integral part of the government, the Council without him was imperfect and incompetent. He had it in his power to adjourn at any time, or withdraw himself from the meeting, and then would end the business for that time, until they were again regularly convened.

Therefore as to the second question, Lord Pigot's conduct on negating a question regularly before the board, and supported by

a majority, and suspending two members by his own authority, for signing what they had voted for, and what the other four were ready to sign also, having all previously declared their intentions, was certainly violent, illegal, and unjustifiable.

And this leads to the third question as to the justification. Here his Lordship expressed some anxiety about giving his opinion upon such a new and unprecedented case. He adverted to cases of force and necessity here in England, which are cognizable and determinable by a jury only. In the case of external force compelling a man to an unlawful act, the man's will does not go along with the action; he is therefore not culpable. In the case of natural necessity, a man driven in self-defence to commit homicide, or other unavoidable act, is not culpable: but of both these cases a jury alone can decide.

His Lordship could put the affair at Madras on no other footing than that of a civil necessity, or state necessity. If the jury could consider this civil necessity the majority were under tantamount to a natural necessity, it would be a justification. To decide this, they might take into consideration the critical situation they were in, from the violent proceedings of the governor: he had suspended two of the senior council; he might possibly proceed to suspend the other four; he had also ordered one of their number to be arrested on a charge of mutiny, that pointed at his life. In such a situation it was difficult to act: but at the same time they began their own administration with an illegal act,

APPENDIX to the CHRONICLE. [317]

act, that of suspending three of the members who voted against them.

His Lordship said it was for the jury to exercise their judgment on these three questions, and if they found sufficient matter to justify the assumption of government out of the hands of the governor, the same would go to justify his imprisonment; and as no aggravating circumstances were insisted on by the prosecutors, they would then acquit the defendants: if otherwise, they would find them guilty.

His Lordship quitted the court exactly at two; and the jury, after withdrawing a quarter of an hour, brought in their verdict, finding the defendants *GUILTY*.

Copy of the Challenge sent by the Marquis de la Fayette, to the Earl of Carlisle, and the Earl's Answer.

To the Earl of Carlisle.

I Did not imagine, my Lord, that I ever should have had any transactions but with your generals, and expected not the honour of seeing them but at the head of the armies which they respectively command. Your letter of the 26th of August to the Congress of the United States, and the terms of insult respecting my country, to which you have signed your name, is the sole cause of my having any thing now to settle with your Lordship. I deign not to refute the aspersions, but I desire to punish it. It is from you, as chief of the commission, that I

demand a reparation as public as hath been the offence, and which must give the *lie* to the expression you have used. I should not have delayed this demand so long, if your letter had reached me sooner; obliged to be absent a few days, I hope to find your answer at my return. M. Gimot, a French officer, will settle on my part the time and place of our meeting, to suit your Lordship's conveniency. I doubt not but, for the honour of his countryman, General Clinton, will attend you to the field.

As to me, my Lord, it is indifferent who attends you, provided that, to the glory of being a Frenchman, I join that of proving to a gentleman of your country, that no one dares to insult mine with impunity.

(Signed)

LA FAYETTE.

To the Marquis De la Fayette.

S I R,

I HAVE received your letter transmitted to me from M. Gimot, and I confess I find it difficult to return a serious answer to its contents. The only one that can be expected from me as the King's Commissioner, and which you ought to have known, is, that I do, and ever shall, consider myself solely responsible to my Country and King, and not to any individual, for my public conduct and language. As for any opinion or expressions contained in any publications issued under the commission in which I have the honour to be named, unless they are retracted in public, you may be assured I shall never, in any change
of

318] ANNUAL REGISTER, 1779.

of situation, be disposed to give an account of them, much less recal them in private.

The injury alluded to in the correspondence of the King's Commissioners to the Congress, I must remind you, is not of a private nature; and I conceive all national disputes will be best decided by the meeting of Admiral Byron and Count d'Estaing.

(Signed)

CARLISLE.

New York, October 11, 1778.

Some Account of Matthieson, lately executed for forging the Notes of the Bank.

JOHN Matthieson was born at Gretna Green, (a noted place in Scotland since passing the English marriage act). His father was a mill wright, and accounted an ingenious mechanic; nor was the son's mechanical genius less conspicuous than that of his father. From the knowledge he had in millwork, he attained the art of making clocks, and by *that*, and cleaning and repairing watches, he was enabled, after the death of his father, to support his mother, his sister, and himself. But his mind was restless, and ever thirsting after improvement. Not content with what he had learned, which produced him only a bare competency, he became acquainted with an engraver, a loose, dissipated young man, whose extravagance often reduced him to great straits. With this youth he cultivated a seeming friendship; and, from a constant attendance, and close attention to him when at work, he stole from him that

art, which, though it might have enriched him by an honest application, proved his ruin, by converting it to a most iniquitous purpose.

It has been insinuated by some that this youth was an accomplice at his first setting out, and that both were connected in forging the notes of the Darlington Bank; but nothing of that kind has since appeared, and therefore unworthy to be believed.

To the art of engraving, Matthieson had added a particular facility in tracing lines, insomuch that he could take off the handwriting of any man with such exactness as even to deceive the writer himself.

Tempted by these acquirements, so flattering to his notions of suddenly becoming rich, his first experiment, as before observed, was made on the 5l. notes of the Darlington Bank; but of these, being of small value and quick circulation, though currently negotiated, he could make no very considerable advantage; and being but a young beginner, and not over-cautious in passing his notes, a discovery was soon made by the banks that their notes were forged, and Matthieson was suspected of being the forger. He was even described, and a reward offered for his apprehension; which, however, he found means to elude by travelling into Scotland, where, there is reason to suspect, he forged the notes of the Royal Bank of Edinburgh, traversed that country, and negotiated them; till, directing his route by the the western road of Glasgow, where he was unknown, he found means to arrive at London undiscovered.

Here

APPENDIX to the CHRONICLE. [319

Here he procured very creditable apartments, where he lived for some time retired and unsuspected.

In all his peregrinations he seems to have paid great attention to his sister; to whom, however, it does not appear that he ever imparted the secret of his fraud.

His lodgings were over-against Arundel-street, in the Strand, in a creditable family, to whom he passed for a watch-maker come to London for improvement. In these lodgings he behaved with great regularity and sobriety, often retired by himself in the day, and often talked with the people in the shop as he passed and re-passed, and appeared in every respect as an unexceptionable character. His sister, indeed, appeared but mean, the landlord said, for a person that took an apartment at 15s. a week.

It should seem, that, though his mind, as he confessed, was much distressed by the consciousness of his guilt, yet that did not wholly destroy the activity of it for invention. It is astonishing to contemplate the powers of an inventive mind, when directed either to good or evil purposes. Harrison, who by a long series of deliberate study, effected at last a time-piece of infinite use to navigation, and for which he received the applause and reward of his country, was forty years in effecting that which this man would probably have brought to perfection in less than as many months, had his inventive powers been directed to so laudable a purpose: for so rapid was he in

his progress, that, though he entered upon his lodgings on the last day of February, he had purchased the copper, ground it, engraved it, fabricated the notes, printed them, forged the water-mark, and negotiated several of them, one in particular at Coventry, for which he suffered, before the 12th of March; and so nicely was all this performed, that the Banker, to whom this last-mentioned note was offered for change, made not the least scruple to receive it, though he knew it was presented by a perfect stranger*.

It was, therefore, of the utmost consequence to national credit, that so dangerous a villain, however ingenious, should be detected. It was not enough for him to be master of counterfeiting all the external lines on the face of the notes with a nicety which might deceive even the very clerks who issued the notes, but he had acquired the very art of counterfeiting the internal mark of the paper on which the notes of the Bank of England are drawn, and of which paper the Directors are so choise as not to suffer a sheet to be made, if we are rightly informed, nor a note to be printed upon it, without the attendance of a trusty person or persons to inspect, upon oath, the whole process. In this was thought their security, and it had exposed every former fraud of the like kind to immediate detection; but Matthieson's art was beyond their reach: he held the whole circulation of the Bank in his hands; for, had he been suf-

* He presented the note to a silver-smith at Coventry, of whom he bought a pair of buckles, who carried it to a Banker's at next door, and got cash for it.

ferred to reign long, no man could have been safe in taking a Bank-note, who had not the books of the Bank to resort to. Even Mr. Geathing, one of the cashiers, being asked, if he had seen the name subscribed to the note on which the prisoner was convicted, on a separate piece of paper, without any suspicion of forgery, whether he could have sworn it was not his hand-writing, his answer was, *I do not know that I could.*

His first care, after he was settled in his lodgings, was to procure a fair 20l. note, which he went to the Bank for himself; for he was cautious of trusting even his sister with any of his affairs. Having got this for a pattern, he next applied to a brazier, and had two pieces of copper cut exactly to the dimensions of the plates used by the Bank. Those rough plates were prepared, as we before observed, by himself; and, as soon as he had completed the notes, he pretended business in the country, and travelled from one end of the kingdom to the other, to negotiate them; for the buckles, which he bought at Coventry, were traced and found in Scotland. All this passed without suspicion at his lodgings: when he went out, it was in the middle of the day; and when he came home, he had all the appearance of a man who had been a long journey.

He no sooner came home than he again applied to the Bank for fresh notes; and a circumstance, which very remotely led to his detection, gave occasion to one of the tellers of the Bank to mark him. He had been, on the 17th of March, to change a ten-pound note; and, on the 24th, he came

again to have two Bank-notes, one for 20l. and the other for 10l. made out to him for cash. On that day the Excise-office was paying 7000 guineas, one of which was scrupled. Matthieson looked at it as it lay at a distance, and said it was a good one. "Then," said the clerk on his trial, "I recollected him. I turned to the book, and saw I had paid him those three notes," [meaning, we suppose, three notes which were produced to identify the person of Matthieson]. But, probably, the turning to the book was a subsequent act, though represented in the Sessions-paper as an immediate inspection, for which there was then no cause.

How he came to be first suspected at the Bank, which did not happen till the 10th of April, does not appear; but, it is evident, the suspicion was but slightly grounded, as the same clerk apprehended and released him on the same day, and did not carry him before a magistrate till next morning, when, hearing he was going along Cornhill with a bundle, he followed him, and persuaded him to go back with him to the Bank of England.

There is reason, indeed, to believe that his frequent appearance at the Bank, exchanging notes of 10 and 20l. for cash, and sometimes taking out notes of the same value, and paying money for them, might create a suspicion that he was some way or other connected with the person who counterfeited notes which, since his first appearance there, had been presented at the Bank, and at first paid without scruple, and probably would have continued so to have been, had not

APPENDIX to the CHRONICLE. [321

not duplicates of the same notes come in, and given the alarm. By comparing these one with another, there was found so material a difference, that the clerks could instantly tell the counterfeit from the real, though their orders were to pay both without hesitation, provided they came through any house of credit, or other unsuspected channel.

To strengthen this conjecture, the writer of this account recollects to have heard, that, while Matthieson was at the Bank to exchange a real note, one of his own forged notes came in for payment at the same time; and that this furnished the teller, to whom those notes were presented, with an occasion to challenge Maxwell (for that was the name he went by) pretty roundly with having some knowledge of these forgeries, several of which had appeared; though no notice had been taken of them, lest it should give a check to the circulation of the real notes. This he steadily denied; yet there appeared some alteration in his countenance which denoted guilt, but nothing that could justify a detainer, and he was suffered to escape. Alarmed, however, by this, he knew he could no longer carry on his fraud with safety in England; and he was preparing to leave the Kingdom, when next day [April 11], pretty early in the morning, the teller was told that his friend Maxwell (for so he was now styled iso-

nically) was seen with a bundle passing along Cornhill.

Whether the teller had discovered more of those notes in the meantime, or had received particular instructions from his superiors to detain Maxwell if he should come again, is not material; but certain it is, that he instantly posted after him, and, having come up with him, under pretence of having committed a mistake in the tale of the money he had paid him the day before, persuaded him to return with him to the Bank to have that mistake rectified. Being asked what the mistake was, the other replied, that he believed he had paid half a guinea too much: on which Maxwell made light of the matter, and, putting his hand in his pocket, pulled out a guinea, and offered him that. The clerk said, that would not do; the mistake must be rectified by the books, or he must lose his place. This had the desired effect: he consented to return, and in his way back left his bundle at a particular shop. As soon as he entered the Bank, he was told that he must stay till the Directors met; and he was shewn into a room, where the porters passing to and fro might see and observe his motions.

What passed between him and the Directors, the writer does not pretend to know; all that appeared was, his bundle was sent for and examined, but there was nothing exceptionable found in that*.

* The contents of the bundle were, some linen and clothes; a pair of pistols, 200 guineas in gold, some real Bank notes, some gravers, and watch-making tools, but nothing that had the appearance of any instrument to fabricate a Bank note.

Yet, notwithstanding this harmless appearance, it was thought necessary, in a case of so much consequence, to take him before Sir John Fielding, where, though he had eluded the questions that had been put to him by the Directors, he perhaps might not be able to evade those put to him by the experience and sagacity of that magistrate; by whom he was particularly asked as to his family, his friends, his connections, his place of abode, his pursuits, and his professions; to all which questions, he said, he had reasons for declining to answer. He was a citizen of the world, he said, and knew not how he came into it, nor how he should go out of it. Nothing, therefore, appearing against him, the Solicitor of the Bank sent him to a public house, attended by proper officers, while he should consult the magistrates about restoring to him his bundle, and setting him at large. Being placed in the inside of the box next the window, he had not sat long before he, lifting up the sash as if to let in air, gave a sudden spring, and jumped out; but, being immediately pursued, was taken and brought back. This confirmed the Solicitor in his suspicions that he was the man; otherwise why should he fly, and leave his money and effects behind him? Being asked his motive, his answer was, It was his humour. It was, however, determined not to let him go till he had undergone a second examination by Sir John Fielding, who, before he was brought up, extended his enquiries to all his

intelligence offices, and had collected all the information possible concerning him; when, to his utter confusion, the advertisement of the Darlington bank was produced, and he was found to answer the description of Matthieson, who was suspected to have forged the notes that had been counterfeited of that bank. This being read to him, and being asked if his name was not Matthieson, instead of Maxwell, he all at once lost his resolution, turned pale, burst into tears, and, after saying he found he was a dead man, he added, "And now I will confess all." He accordingly owned that he fabricated the notes in the manner already related; that the moment he had completed the number of notes he thought proper, he destroyed the plates and every implement which he had made use of in the fabrication; that his next business was to negotiate those notes, and then return and make out more; that he had an astonishing facility in doing all this, so that he could accomplish the whole in less than a single day. By what appeared upon the trial, it should seem that he discovered to the Solicitor of the Bank his method of counterfeiting the water-mark; but, upon enquiry, there is reason to doubt whether he made any particular discovery, only, in general, that he himself was the sole fabricator.

Thus much we have been able to collect of a man, whose powers of imitation never were equalled, and, we hope, for the good of this country, never will in future.

APPENDIX to the CHRONICLE. [323]

The following authentic Extracts from the Corn-Register, are derived from Accounts collected from the Custom-House Books, and delivered to Mr. John James Catherwood, by Authority of Parliament.

An Account of the Quantities of all Corn and Grain exported from, and imported into, England and Scotland, with the Bounties and Drawbacks paid, and the Duties received thereon, for one Year ended the 5th of January, 1780.

E X P O R T E D.

1779.	British Quarters.	Foreign Quarters.	Bounties and Drawbacks paid.
ENGLAND.			
Wheat and Wheat Meal	155,003	7,781	£. s. d.
Wheat Flour - - -	48,186	1,795	
Rye - - - - -	3,162	37	
Barley - - - - -	4,948	2,583	51,349 2 6 Ba.
Malt - - - - -	74,287	Nil	
Oats - - - - -	11,291	5,635	
Oatmeal - - - - -	2,475	29	97 1 2 Dr.
Beans - - - - -	19,075	6,384	
Pease - - - - -	13,130	5,106	
SCOTLAND.			
Wheat - - - - -	256		
Wheat Flour - - -	9,239		
Barley and Bear - -	937		
Malt - - - - -	3,022		3,157 Bount.
Oats - - - - -	219		
Oatmeal - - - - -	2,638		
Pease and Beans - -	897		

I M P O R T E D.

1779.	Quarters.	Duties received.
ENGLAND.		
Wheat - - - - -	3,508	£. s. d.
Wheat Flour - - -	1,103	
Rye - - - - -	1,693	
Barley - - - - -	7,085	
Oats - - - - -	331,858	2,849 18 7
Oatmeal - - - - -	669	
Beans - - - - -	14,591	
Pease - - - - -	29,154	
SCOTLAND.		
Wheat Flour - - -	425	
Oats - - - - -	15,984	139 18 2½

[X] 2

The

324] ANNUAL REGISTER, 1779.

The following is an account of the average prices of corn in England and Wales, by the standard Winchester bushel, for the year 1779.

Wheat	Rye	Barley	Oats	Beans
s. d.	s. d.	s. d.	s. d.	s. d.
4 2½	2 11	2 5½	1 9	3 0½

N. B. The prices of the finest and coarsest sorts of grain generally exceed and reduce the average price as follows, viz.

	Wheat	Rye	Barley	Oats	Beans.
Per bushel,	6d.	3d.	3d.	3d.	6d.

SUPPLIES

SUPPLIES granted by Parliament, for the Year 1779.

N A V Y.

DECEMBER 3. 1778.

1. **T**HAT 70,000 men be employed for the sea service, for the year 1779, including 17,389 marines.

2. That a sum, not exceeding 41. per month per man, be allowed for maintaining the said 70,000 men, for 13 months, including ordnance for sea service 3,540,000 0 0

DECEMBER 17.

1. For the ordinary of the navy, including half pay to the sea and marine officers, for the year 1779,

369,882 6 1

2. Towards building, rebuilding, and repairs of ships of war in his Majesty's yards, and other extra-works, over and above what are proposed to be done upon the heads of wear and tear in ordinary, for the year 1779

579,187 0 0

4,589,069 6 1

A R M Y.

DECEMBER 15.

1. That a number of land forces, including 3,213 invalids, amounting to 30,346 effective men, commissioned and non-commissioned officers included, be employed for the service of the year 1779.

2. For defraying the charge of 30,346 effective men for guards, garrisons, and other his Majesty's forces in Great Britain, Jersey, and Guernsey, for the year 1779

833,911 18 6

3. For the pay of the general and general staff officers in Great Britain, for the year 1779

37,206 8 6½

4. For maintaining his Majesty's forces and garrisons in the plantations and Africa, including those in garrison in Minorca and Gibraltar; and for provisions for the forces in North America, Nova Scotia, Newfoundland, Gibraltar, the Ceded Islands, and Africa, for the year 1779

1,103,118 11 0

For

326] ANNUAL REGISTER, 1779.

5. For defraying the charge of the difference of pay between the British and Irish establishment of one regiment of light dragoons, and six regiments of foot, serving in North America, for the year 1779	52,923	1	6
6. For defraying the charge of five Hanoverian regiments of foot at Gibraltar and Minorca, and for provisions for the three battalions of the said troops at Gibraltar, for the year 1779	56,074	19	4 $\frac{1}{2}$
7. For defraying the charge of 13,472 men of the troops of the Landgrave of Hesse Cassel, in the pay of Great Britain, together with the subsidy, pursuant to treaty, for the year 1779	367,203	9	10
8. For defraying the charge of two regiments of Hanau, in the pay of Great Britain, together with the subsidy, pursuant to treaty with the hereditary Prince of Hesse Cassel, for the year 1779	35,441	3	2 $\frac{1}{2}$
9. For defraying the charge of a regiment of foot of Waldeck, in the pay of Great Britain, together with the subsidy, pursuant to treaty with the reigning Prince of Waldeck, for the year 1779	17,498	3	2 $\frac{1}{2}$
10. For defraying the charge of 4300 men, the troops of the reigning Duke of Brunswick, in the pay of Great Britain, together with the subsidy, for the year 1779	93,947	15	8
11. For defraying the charge of 1447 men, the troops of the Margrave of Brandeburgh Anspach, in the pay of Great Britain, together with the subsidy, for the year 1779	39,644	14	3
12. To make good a deficiency in the sums voted for the troops of the Margrave of Brandeburgh Anspach, in the pay of Great Britain, being the charge of an augmentation to the said troops, from Nov. 1, 1777, to Dec. 24, 1778	7,958	10	11 $\frac{1}{2}$
13. For defraying the charge of a corps of foot of Anhalt Zerbst, in the pay of Great Britain, together with the subsidy, pursuant to treaty with the reigning Prince of Anhalt Zerbst, for the year 1779	16,630	11	9 $\frac{1}{4}$
14. For defraying the charge of provisions for the foreign troops serving in North America, in the pay of Great Britain, for the year 1779	48,668	3	9 $\frac{1}{4}$
15. For defraying the charge of artillery for the foreign troops in the pay of Great Britain, pursuant to treaties, for the year 1779	27,683	14	0
16. For defraying the charge of the embodied militia of the several counties of South Britain, and of three regiments of fencible men in North Britain, for the year 1779	610,882	5	0
17. For defraying the charge of the cloathing for the embodied militia in South Britain, for the year 1779	85,760	17	2

For

APPENDIX to the CHRONICLE. [327

18. For defraying the charge of additional companies to the embodied militia in South Britain, for the year 1778 5,421 18 6

19. For defraying the charge of cloathing for additional companies to the embodied militia in South Britain, for the year 1778 2,656 4 0

20. For defraying the charge of several augmentations to his Majesty's forces, for the year 1779 59,713 3 4

FEBRUARY 23, 1779.

1. On account of the reduced officers of his Majesty's land forces and marines, for the year 1779 87,703 8 4

2. For defraying the charge for allowances to several private gentlemen of the two troops of horse guards reduced, and to the superannuated gentlemen of the four troops of horse guards, for the year 1779 628 2 11

3. Towards defraying the charge of the out-pensioners of Chelsea Hospital, for the year 1779 103,127 14 2

MARCH 25.

1. For completing the whole charge of the pay of one regiment of light dragoons, and six regiments of foot, which of late years have been paid in part of the revenues of the kingdom of Ireland, and are now serving in North America, for the year 1779 63,195 11 10

2. For defraying the charge of a regiment of fencible men, to be forthwith raised in North Britain, for the year 1779 19,584 2 0

MARCH 29.

Towards defraying the extraordinary expences of his Majesty's land forces, and other services incurred, between the 31st Jan. 1778, and the 1st Feb. 1779, and not provided for by parliament 2,026,137 4 4½

APRIL 22.

1. To make good the charge of forming three regiments of light dragoons of 411 men each, out of the light troops belonging to the regiments of dragoon guards, and dragoons in Great Britain, including the charge of bringing General Elliot's and Lieut. Gen. Burgoyne's regiments to the like establishment, for the year 1779 6,246 5 8

2. For defraying the charge of an augmentation to a corps of Royal Highland emigrants, serving in North America, from the 25th May, 1779, to the 24th Dec. following, both days inclusive, being 214 days 4,113 6 8

5,913,081 9 5

328] ANNUAL REGISTER, 1779.

ORDNANCE.

DECEMBER 15, 1778.

1. For the charge of the office of Ordnance for the land service, for the year 1779	395,438	15	4
2. For defraying the expence of services performed by the office of Ordnance for land service, and not provided for by parliament in the year 1778	521,935	13	5
	917,374	8	9

MISSCELLANEOUS SERVICES.

FEBRUARY 18, 1779.

1. To be advanced to the governor and company of the merchants of England, trading into the Levant sea, to be applied in assisting the said company in carrying on their trade	5,000	0	0
2. For the expences of the new roads of communication, and building bridges, in the Highlands of North Britain	6,995	0	0

MAY 3.

1. For the augmentation of the salaries of the Puisne Judges of the courts of King's-bench and Common-pleas, and the Puisne Barons of the Coif of the court of Exchequer at Westminster, for the time being, in the proportion of 400l. to each of the said judges and barons in every year	3,600	0	0
2. For the augmentation of the salary of the chief baron of the Exchequer for the time being, per ann.	500	0	0

MAY 6.

1. To make good the sum issued by his Majesty's orders in pursuance of the address of the House	32,958	2	8
2. To replace the sum issued by his Majesty's orders to Mr. Duncan Campbell, for the expence of confining, maintaining, and employing convicts on the River Thames	13,586	7	0

MAY 27.

1. To make good the sum issued by his Majesty's orders, to be applied for the relief and benefit of fundry American civil officers, and others who have suffered on account of their attachment to his Majesty's government.	60,527	3	6
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For defraying expences attending general surveys of his Majesty's dominions in North America, for the year 1779

2. To be paid to James Berkenhout, Esq; and Thomas Clarke of the town of Leeds, dyer, upon a proper discovery to be made by them, for the use of the public, of their method of dying scarlet and crimson, as well as other colours, on linnen and cotton	2,041	0	0
	5,000	0	0

For

APPENDIX to the CHRONICLE. [329

For defraying the charges of the following civil establishments, and other incidental expenses attending the same; to-wit, in America:

1. His Majesty's island of St. John's. 3250l.
2. His Majesty's colony of Georgia. 2900l.
3. His Majesty's colony of Nova Scotia. 4798l.
4. His Majesty's colony of East Florida. 4950l.
5. His Majesty's colony of West Florida. 4900l.

20,796 0 0

JUNE 15.

For repairing, maintaining, and supporting the British forts and settlements on the coast of Africa; for the year 1780.

13,000 0 0

164,013 13 2

LOANS DISCHARGED.

DECEMBER 14, 1778.

1. For paying off and discharging the Exchequer bills made out by virtue of an act, passed in the last session of parliament, intituled, "An act for raising a certain sum of money by loans or Exchequer bills, for the service of the year 1778," and charged on the first aids to be granted in this session of parliament

1,566,000 0 0

2. For paying off and discharging the Exchequer bills made out by virtue of an act, passed in the last session of parliament, intituled, "An act for enabling his Majesty to raise the sum of one million, for the uses and purposes therein mentioned," and charged to the first aids to be granted in this session of parliament

1,000,000 0 0

APRIL 1, 1779.

For paying off and discharging the Exchequer bills made out by virtue of an act, passed in the last session of parliament, intituled, "An act for raising a farther sum of money, by loans or Exchequer bills, for the service of the year 1778."

500,000 0 0

For discharging and paying off the prizes of the lottery, of the year 1778

490,000 0 0

3,496,000 0 0

DEFICIENCIES.

APRIL 1.

1. To replace to the sinking fund, the like sum paid out of the same, to make good the deficiency on the 5th July, 1778, of the fund established for paying annuities, granted by an act made in the

330] ANNUAL REGISTER, 1779.

31st year of his late Majesty, toward the supply granted for the year 1758

40,540 0 6

2. To replace to the sinking fund, the like sum paid out of the same, to make good the deficiency on the 5th July, 1778, of the fund established for paying annuities, granted by an act made in the 18th year of his present Majesty, towards the supply granted for year the 1778

98,891 3 8

MAY 6.

To make good the deficiency of the grants for the service of the year 1778

66,744 4 3½

To make good the deficiency of the land tax

250,000 0 0

To make good the deficiency of the malt tax

200,000 0 0

656,175 7 11½

Total of supplies

15,729,654 5 4½

WAYS and MEANS for raising the above Supplies, granted to his Majesty, for the Service of the Year 1778.

DECEMBER 5, 1778.

1. That the sum of four shillings in the pound, and no more, be raised within the space of one year, from the twenty-fifth day of March, one thousand seven hundred and seventy-nine, upon lands, tenements, hereditaments, pensions, offices, and personal estates, in that part of Great Britain called England, Wales, and the town of Berwick upon Tweed; and that a proportionable cefs, according to the ninth article of the treaty of union, be laid upon that part of Great Britain called Scotland

2,000,000 0 0

2. That the duties upon malt, mum, cyder, and perry, which, by an act of parliament of the eighteenth year of his present Majesty's reign, have continuance to the twenty-fourth day of June, one thousand seven hundred and seventy-nine, be further continued, and charged upon all malt which shall be made, and all mum which shall be made or imported, and all cyder and perry which shall be made for sale, within the kingdom of Great Britain, from the twenty-third day of June, one thousand seven hundred and seventy-nine, to the twenty fourth day of June, one thousand seven hundred and eighty

750,000 0 0

FEBRUARY 25, 1779.

That, towards raising the supply granted to his Majesty, the sum of 7,000,000l. be raised by an-

nuities,

APPENDIX to the CHRONICLE. [331

nuities, and the further sum of 490,000*l.* by a lottery in manner following; that is to say,

That every contributor to the said 7,000,000*l.* shall, for every 100*l.* contributed, be entitled to an annuity after the rate of 3*l.* per cent. per ann. redeemable by parliament; and also to a further annuity of 3*l.* 15*s.* per cent. per ann. to continue for a certain term of twenty-nine years, and then to cease; the said annuity of 3*l.* per cent. and of 3*l.* 15*s.* per cent. to commence from the 15th day of January, 1779, and to be payable and transferrable at the Bank of England, and to be paid half yearly on the 5th day of July, and the 5th day of January in every year, and shall be charged and chargeable upon, and payable out of, a fund to be established in this session of parliament for payment thereof, and for which the sinking fund shall be a collateral security:

That every contributor, or his or her representative, who shall chuse to have and receive a life annuity instead of the said annuity of 3*l.* 15*s.* per cent. per ann. to continue for a certain term of twenty-nine years as aforesaid, shall, upon completing the whole of his or her contribution money, and signifying such his or her intention to the chief cashier of the governor and company of the bank of England, have a certificate signed by him the said cashier, expressing the sum so paid by such contributor, or his or her representative, and the annuity after the rate of 3*l.* 15*s.* per cent. per ann. to which such person is entitled in respect of the same; and shall, upon producing such certificate to the auditor of the receipt of his Majesty's Exchequer, at any time on or before the 22d day of December next, have and be entitled to a like annuity, after the rate of 3*l.* 15*s.* per cent. per ann. to be paid at the receipt of the Exchequer, to commence from the 5th day of January, 1779, and to be paid and payable half yearly, on the 5th day of July and the 5th day of January in every year, during the life of such nominee as he or she shall appoint at the time of delivering such certificate to the said auditor of the receipt of the Exchequer, out of the said fund to be established in this session of parliament, and for which the sinking fund is to be a collateral security:

That every contributor towards raising the sum of 7,000,000*l.* shall, for every 1000*l.* by him or

her contributed, be entitled to seven tickets in a lottery to consist of 49,000 tickets, amounting to 490,000*l.* upon payment of the further sum of 10*l.* for each ticket; the said 490,000*l.* to be distributed into prizes for the benefit of the proprietors of the fortunate tickets in the said lottery, which shall be paid in money at the bank of England to such proprietors, upon demand, as soon after the 1st day of March, 1780, as certificates can be prepared; without any deduction whatsoever:

That every contributor shall, on or before the 2d of March next, make a deposit of 15*l.* per cent. on such sum as he or she shall chuse to subscribe towards raising the said sum of 7,000,000*l.* with the chief cashier or cashiers of the governor and company of the bank of England; and also a deposit of 15*l.* per cent. with the said cashier or cashiers, in part of the monies to be contributed towards raising the said sum of 490,000*l.* by a lottery; as a security for making the future payments, respectively, on or before the days or times hereinafter limited; that is to say, on 7,000,000*l.* for annuities, 10*l.* per cent. on or before the 23d day of April next; 15*l.* per cent. on or before the 28th day of May next; 10*l.* per cent. on or before the 25th day of June next; 15*l.* per cent. on or before the 23d day of July next; 15*l.* per cent. on or before the 27th day of August next; 10*l.* per cent. on or before the 22d day of October next; 10*l.* per cent. on or before the 19th day of November next. On the lottery for 490,000*l.* 20*l.* per cent. on or before the 9th day of April next; 25*l.* per cent. on or before the 7th day of May next; 20*l.* per cent. on or before the 11th day of June next; 20*l.* per cent. on or before the 8th day of October next.

That all the monies, so to be received by the said chief cashier or cashiers of the governor and company of the bank of England, shall be paid into the receipt of the Exchequer, to be applied from time to time to such services as shall then have been voted in this session of parliament:

That every contributor who shall pay in the whole of his or her contribution money towards the said sum of 7,000,000*l.* to be contributed for annuities as aforesaid, at any time before the 19th day of October next, or on account of his or her share in the said lottery, on or before the 8th day of June next, shall be allowed an interest, by way of discount, after the rate

APPENDIX to the CHRONICLE. [333

of 3l. per cent. per ann. on the sums so completing his or her contribution money, respectively, to be computed from the day of completing the same to the 19th day of November next, in regard to the sum to be paid for the said annuities, and to the 8th day of October next, in respect of the sum to be paid on account of the said lottery; and that all such persons as shall make their full payments on the said lottery, shall have their tickets delivered to them as soon as they can conveniently be made out:

That the annuities after the rate of 3l. per cent. per ann. to be payable in respect of the said 7,000,000l. to be contributed as aforesaid, shall, from the time of their commencement, be added to and made one joint stock with the 3l. per cent. annuities consolidated, per acts 25th, 28th, 29th, 31st, 32d, and 33d Georgii IIdi. and by several subsequent acts, and shall be payable and transferrable at the bank of England, and subject to redemption in the same manner as the said 3l. per cent. consolidated annuities are payable and transferrable there and redeemable by parliament

7,490,000

MAY 6.

That the sum of fifteen thousand two hundred and ninety-seven pounds, ten shillings, and five pence farthing, remaining in the receipt of the Exchequer on the 5th day of January, 1729, of the surplusses of the several stamp duties granted by the acts of the thirty-second year of King George the Second, and of the second and fifth years of his present Majesty, for augmenting the salaries of the judges of England and Wales, after payment of the several allowances then due and payable out of the same, be granted to his Majesty, to be applied to the augmentation of the salaries of the chief baron of the court of Exchequer at Westminster, and of the Puisne Justices of the courts of King's Bench and Common Pleas, and the Puisne Barons of the Coif of the court of Exchequer at Westminster

15,297 10 5½

JUNE 1.

1. That, towards raising the supply granted to his Majesty, there be issued and applied the sum of two million seventy-one thousand eight hundred and fifty-four pounds, thirteen shillings, and eight pence halfpenny, out of such monies as have arisen, or shall or may arise, of the surplusses, excesses, or

overplus

334] ANNUAL REGISTER, 1779.

overplus monies, and other revenues, composing the fund commonly called the sinking fund

2,71,854 13 8½

2. That, towards raising the supply granted to his Majesty, the sum of one million five hundred thousand pounds, be raised by loans or Exchequer bills, to be charged upon the first aids to be granted in the next session of parliament; and such Exchequer bills, if not discharged, with interest thereupon, on or before the fifth day of April, one thousand seven hundred and eighty, to be exchanged and received in payment in such manner as Exchequer bills have usually been exchanged and received in payment

1,500,000 0 0

3. That, towards raising the supply granted to his Majesty, the further sum of one million nine hundred thousand pounds, be raised by loans or Exchequer bills, to be charged upon the first aids to be granted in the next session of parliament; and such Exchequer bills, if not discharged, with interest thereupon, on or before the fifth day of April, one thousand seven hundred and eighty, to be exchanged and received in payment in such manner as Exchequer bills have usually been exchanged and received in payment

1,900,000 0 0

4. That, towards raising the supply granted to his Majesty, there be applied the sum of two thousand seven hundred sixty-three pounds and one shilling, remaining in the receipt of the Exchequer on the fifth day of April, one thousand seven hundred and seventy-nine, subject to the disposition of parliament, exclusive of the surplus monies then remaining of the sinking fund

2,763 0 0

Total of ways and means

15,729,915 4 1½

Excess of ways and means

260 18 9

Note, *A vote of credit of one million was also granted this session, and is charged on the next aids.*

The additional public debt funded and provided for this year, amounts to seven millions; the interest of which, at 3 per cent. per ann. is

210,000 0 0

The annuity for twenty-nine years, of 31. 15s. per cent. per ann.

262,500 0 0

In all

472,500 0 0

This

APPENDIX to the CHRONICLE. [335

This sum (by acts passed in pursuance of the resolutions of the 1st of March) is proposed to be raised in the following manner:

An additional duty of five per cent. on the full produce of the excise and customs, beer and ale, soap, candles and hides excepted

282,109 0 0

A tax on post horses of 1 d. per horse per mile

164,250 0 0

An additional duty of 5 per cent. on cambrick

36,000 0 0

482,359 0 0

Excess of taxes

9,859 0 0

STATE

STATE PAPERS.

His Majesty's most gracious Speech to both Houses of Parliament, November 25th, 1778.

My Lords, and Gentlemen,
I Have called you together in a conjuncture which demands your most serious attention.

In the time of profound peace, without pretence of provocation or colour of complaint, the court of France hath not forborne to disturb the public tranquillity, in violation of the faith of treaties, and the general rights of sovereigns, at first by the clandestine supply of arms and other aid to my revolted subjects in North America, afterwards by avowing openly their support, and entering into formal engagements with the leaders of the rebellion, and at length by committing open hostilities and depredations on my faithful subjects, and by an actual invasion of my dominions in America and the West Indies.

It is, I trust, unnecessary for me to assure you, that the same care and concern for the happiness of my people, which induced me to endeavour to prevent the calamities of war, will make me desirous to see a restoration of the blessings of peace, whenever it can be effected with perfect honour, and with security to the rights of this country.

In the mean time, I have not

neglected to take the proper and necessary measures for disappointing the malignant designs of our enemies, and also for making general reprisals; and although my efforts have not been attended with all the success, which the justice of our cause and the vigour of our exertions seemed to promise, yet the extensive commerce of my subjects has been protected in most of its branches, and large reprisals have been made upon the injurious aggressors, by the vigilance of my fleets, and by the active and enterprising spirit of my people.

The great armaments of other powers, however friendly and sincere their professions, however just and honourable their purposes, must necessarily engage our attention.

It would have afforded me very great satisfaction to have informed you, that the conciliatory measures, planned by the wisdom and temper of parliament, had taken the desired effect, and brought the troubles in North America to a happy conclusion.

In this situation of affairs, the national honour and security call so loudly upon us for the most active exertions, that I cannot doubt of your heartiest concurrence and support. From the vigour of your councils, and the conduct and intrepidity of my officers and forces

by sea and land, I hope, under the blessing of God, to derive the means of vindicating and maintaining the honour of my crown; and the interests of my people; against all our enemies.

Gentlemen of the House of Commons,

I will order the proper estimates for the service of the ensuing year to be laid before you; and when you consider the importance of the objects for which we are contending, you will, I doubt not, grant me such supplies as you shall judge necessary for the public service, and adequate to the present emergency.

My Lords, and Gentlemen,

I have, according to the powers vested in me for that purpose, called forth the militia, to assist in the interior defence of this country; and I have, with the greatest and truest satisfaction, been myself a witness of that public spirit, that steady ardour, and that love of their country, which animate and unite all ranks of my faithful subjects, and which cannot fail of making us safe at home, and respected abroad.

The humble Address of the Lords Spiritual and Temporal in Parliament assembled.

Most Gracious Sovereign,
WE, your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to return your Majesty our humble thanks for your most gracious speech from the throne.

VOL. XXII.

We have the strongest sense of the importance of those objects which render the present conjuncture worthy of the most serious attention.

The disturbance of the public tranquillity by the court of France, without pretence of provocation or colour of complaint, the clandestine assistance, the avowed support, the formal engagements which, at different periods, that court has not thought it inconsistent with its honour, to afford to your Majesty's revolted subjects in North America, and to conclude with the leaders of rebellion, excite in our breasts a just abhorrence of the violation of every public principle which such a conduct manifests, and a determination to concur in every measure, which may enable your Majesty to resent with effect, the hostilities committed on your faithful subjects, and the actual invasion of your Majesty's dominions in America and the West Indies.

We beg leave to express our grateful sense of the tender concern for the happiness of your people, which has uniformly induced your Majesty to endeavour to prevent the calamities of war, and will make your Majesty desirous to see the return of peace, whenever it can be effected with perfect honour and security to the rights of this country.

At the same time we return your Majesty our dutiful thanks for your great care in taking the proper and necessary measures for disappointing the malignant designs of our enemies, and also for making general reprisals, and for the protection which has been derived from the vigilance of your

[T]

Majesty's

Majesty's fleets to our extensive commerce, in most of its branches, while that of the enemy has materially suffered by the active and enterprizing spirit of our fellow-subjects: And we hope, although your Majesty's efforts have not hitherto been attended with all the success, which the justice of our cause and the vigour of our exertions seemed to promise, that consequences more adequate to both may result from the animated execution of firm and active councils, which the time requires, and with which the spirited perseverance of the British nation has so often surmounted the greatest difficulties.

It is with concern we learn, that the conciliatory measures of parliament have not yet had the good effect with your Majesty's revolted subjects, which was due to the wisdom and temper with which they were planned.

In this situation of affairs, fully sensible that the national honour and security loudly calls for the most active exertions, we will strenuously concur in supporting your Majesty, that, under the blessing of God, means may be derived from the conduct and intrepidity of your Majesty's officers and forces, by sea and land, and the yet undaunted spirit of the nation, to vindicate and maintain the honour of the crown, and the interests of the people of Great Britain.

We return your Majesty our cordial acknowledgements for having called forth the militia, to assist in the interior defence of this country; and it is with joy and exultation we hear the gracious testimony your Majesty is pleased to bear to the public spirit, the

steady ardour, and love of their country, which animate that national force, and unite all ranks of your Majesty's faithful subjects in giving signal proofs, to all the world, of a loyalty and zeal which must render us safe at home and respected abroad.

His Majesty's Answer.

My Lords,

I thank you for this loyal and dutiful address: The zeal you shew for my honour and support, and the firmness and vigour you manifest in the present conjuncture, cannot fail to produce the best effects; it must add confidence to my people, and encourage animated efforts to withstand, oppose, and subdue, every hostile attack upon the honour and interests of my kingdoms.

The humble Address of the House of Commons to the King.

Most Gracious Sovereign,
WE, your Majesty's most dutiful and loyal subjects, the Commons of Great Britain in parliament assembled, beg leave to return your Majesty the thanks of this House, for your most gracious speech from the throne.

We acknowledge with the utmost gratitude your Majesty's paternal regard for the happiness of your people, in your earnest and uniform endeavours to preserve the public tranquillity, and the good faith and uprightness of your Majesty's conduct to all foreign powers: And we assure your Majesty, that we have seen with concern and indignation, that tranquillity

quillity disturbed by the court of France, without the least pretence of provocation, or colour of complaint; and we have, with the warmest emotions of resentment, marked the progress of their malignant designs against this country, first by a clandestine aid and supply of arms to your Majesty's revolted subjects in North America; afterwards, in violation of the faith of treaties, and contrary to the rights and common interest of every sovereign state in Europe possessed of colonies and dependencies, by entering into and avowing formal engagements with the leaders of the rebellion; and, at length, by committing open hostilities and depredations, and by actually invading part of your Majesty's dominions in America and the West Indies.

We cannot but feel concern and regret, that the measures taken by your Majesty, for disappointing these hostile and malignant designs, have not been attended with all the success which the justice of the cause, and the vigour of the exertions, seemed to promise; yet, we have at the same time seen with great satisfaction, the extensive commerce of your Majesty's subjects protected in most of its branches, and large reprisals made on the injurious aggressors, by the vigilance of your Majesty's fleets, and the active spirit of the nation.

It would have given your faithful Commons the truest happiness, to have received the communication from your Majesty, that the just and humane purposes of your Majesty and your Parliament, for quieting the minds of your revolted subjects, had taken the de-

fired effect, and had brought the troubles in North America to a happy conclusion.

Your faithful Commons do most heartily concur with your Majesty, in the just approbation you have been pleased to express of the public spirit which has so conspicuously animated all ranks of your Majesty's faithful subjects, to stand forth, at this time of danger, in the service of the militia, who, by their discipline and steady perseverance in their duty, have enabled your Majesty to avail yourself of that constitutional force for the defence of this country.

Your Majesty may rely on the hearty and zealous concurrence and assistance of your faithful Commons, in enabling your Majesty to make the most active and vigorous exertions by sea and land, for vindicating and establishing the national honour and security; and we beg leave to declare our steadfast resolution, and renew our solemn assurances to your Majesty, that this House, convinced of the importance of the objects for which we are contending, and impelled by every motive of duty and interest that can animate the hearts of Britons, will effectually assist your Majesty in the prosecution of the present just and necessary war; and that we will, to the utmost of our power, support your Majesty against all your enemies.

PROTESTS of the LORDS.

Die Luna, Decem. 7^{mo}.

Moved,

THAT an humble address be presented to his Majesty, to express to his Majesty the displeasure

sure of this House, at a certain manifesto and proclamation, dated the third day of October, 1778, and published in America under the hands and seals of the Earl of Carlisle, Sir Henry Clinton, Knt. of the Bath, and William Eden, Esq; commissioners for restoring peace to the colonies, and countersigned by Adam Ferguson, Esq; secretary to the commission; the said manifesto containing a declaration of the following tenour:

“ If there be any persons, who, divested of mistaken resentments, and uninfluenced by selfish interests, really think it is for the benefit of the colonies, to separate themselves from Great Britain, and that so separated they will find a constitution more mild, more free, and better calculated for their prosperity, than that which they heretofore enjoyed, and which we are empowered and disposed to renew and improve; with such persons we will not dispute a position, which seems to be sufficiently contradicted by the experience they have had. But we think it right to leave them fully aware of the change which the maintaining such a position must make in the whole nature and future conduct of this war, more especially when to this position is added the pretended alliance with the court of France. The policy, as well as the benevolence of Great Britain, have thus far checked the extremes of war, when they tended to distress a people, still considered as our fellow-subjects, and to desolate a country, shortly to become again a source of mutual advantage: but when that country professes the unnatural design, not only of

estranging herself from us, but of mortgaging herself, and her resources, to our enemies, the whole contest is changed, and the question is, how far Great Britain may, by every means in her power, destroy or render useless a connection contrived for her ruin, and for the aggrandizement of France. Under such circumstances, the laws of self-preservation must direct the conduct of Great Britain; and if the British colonies are to become an accession to France, will direct her to render that accession of as little avail as possible to her enemies.”

To acquaint his Majesty with the sense of this House, that the said commissioners had no authority whatsoever, under the act of parliament, in virtue of which they were appointed by his Majesty, to make the said declaration, or to make any declaration to the same, or to the like purport, nor can this House be easily brought to believe that the said commissioners derived any such authority from his Majesty's instructions.

Humbly to beseech his Majesty, that so much of the said manifesto as contains the said declaration, be publicly disavowed by his Majesty, as containing matter inconsistent with the humanity and generous courage which, at all times, have distinguished the British nation, subversive of the maxims which have been established among Christian and civilized communities, derogatory to the dignity of the crown of this realm, tending to debase the spirit, and subvert the discipline of his Majesty's armies, and to expose his Majesty's innocent subjects, in all parts of
his

his dominions, to cruel and ruinous retaliations.

After a long debate, the question was put, and carried in the negative. Contents 37. Non-contents 71, including proxies.

Dissentient,

1st. Because the public law of nations, in affirmance of the dictates of nature, and the precepts of revealed religion, forbids us to resort to the extremes of war upon our own opinion of their expediency, or in any case to carry on war for the purpose of desolation. We know that the rights of war are odious, and instead of being extended upon loose constructions and speculations of danger, ought to be bound up and limited, by all the restraints of the most rigorous construction. We are shocked to see the first law of nature, self-preservation, perverted and abused into a principle destructive of all other laws; and a rule laid down, by which our own safety is rendered incompatible with the prosperity of mankind. Those objects of war, which cannot be compassed by fair and honourable hostility, ought not to be compassed at all. An end that has no means, but such as are unlawful, is an unlawful end. The manifesto expressly founds the change it announces from a qualified and mitigated war, to a war of extremity and desolation, on a certainty that the provinces must be independent, and must become an accession to the strength of an enemy. In the midst of the calamities, by which our loss of empire has been preceded and accompanied; in the midst of our apprehensions for the farther calamities which impend over us, it

is a matter of fresh grief and accumulated shame, to see from a commission under the great seal of this kingdom, a declaration for desolating a vast continent, solely because we had not the wisdom to retain, or the power to subdue it.

2dly. Because the avowal of a deliberate purpose of violating the law of nations must give an alarm to every state in Europe. All commonwealths have a concern in that law, and are its natural avengers. At this time, surrounded by enemies, and destitute of all allies, it is not necessary to sharpen and embitter the hostility of declared foes, or to provoke the enmity of neutral states. We trust that by the natural strength of this kingdom, we are secured from a foreign conquest, but no nation is secured from the invasion and incursions of enemies. And it seems to us the height of frenzy, as well as wickedness, to expose this country to cruel depredations, and other outrages too shocking to mention (but which are all contained in the idea of the extremes of war and desolation) by establishing a false, shameful, and pernicious maxim, that where we have no interest to preserve, we are called upon by necessity to destroy. This kingdom has long enjoyed a profound internal peace, and has flourished above all others in the arts and enjoyments of that happy state. It has been the admiration of the world for its cultivation and its plenty: for the comforts of the poor, the splendor of the rich, and the content and prosperity of all. This situation of safety may be attributed to the greatness of our power. It is more becoming, and more true, that we ought to attribute

attribute that safety, and the power which procured it, to the ancient justice, honour, humanity, and generosity of this kingdom, which brought down the blessing of providence on a people who made their prosperity a benefit to the world, and interested all nations in their fortune, whose example of mildness and benignity at once humanized others, and rendered itself inviolable. In departing from those solid principles, and vainly trusting to the fragility of human force, and to the efficacy of arms, rendered impotent by their perversion, we lay down principles, and furnish examples of the most atrocious barbarity. We are to dread that all our power, peace, and opulence should vanish like a dream, and that the cruelties which we think safe to exercise, because their immediate object is remote, be brought to the coasts, perhaps to the bosom of this kingdom.

3dly. Because, if the explanation given in debate, be expressive of the true sense of the article in the manifesto, such explanation ought to be made, and by as high authority as that under which the exceptionable article was originally published. The natural and obvious sense indicates, that the extremes of war had hitherto been checked; that his Majesty's generals had hitherto foreborne (upon principles of benignity and policy) to desolate the country; but that the whole nature, and future conduct of the war must be changed, in order to render the American accession of as little avail to France as possible. This, in our apprehension, conveys a menace of car-

rying the war to extremes and to desolation, or it means nothing. And as some speeches in the House (how ever palliated) and as some acts of singular cruelty, and perfectly conformable to the apparent ideas in the manifesto, have lately been exercised, it becomes the more necessary, for the honour and safety of this nation, that this explanation should be made. As it is refused, we have only to clear ourselves to our consciences, to our country, to our neighbours, and to every individual who may suffer in consequence of this atrocious menace, of all part in the guilt, or in the evils that may become its punishment. And we chuse to draw ourselves out, and to distinguish ourselves to posterity, as not being the first to renew, to approve, or to tolerate, the return of that ferocity and barbarism in war, which a beneficent religion, and enlightened manners, and true military honour, had for a long time banished from the Christian world.

Camden,	Rockingham,
Abingdon,	Tankerville,
Fitzwilliam,	Ponsonby,
Fortescue,	Derby,
Grafton,	Manchester,
Craven,	Portland,
J. St. Asaph,	Beaulieu,
Richmond,	Harcourt,
Bolton,	Effingham,
Radnor,	Wycombe,
Egremont,	Scarborough,
Abergavenny,	Cholmondeley,
Coventry,	Devonshire,
De Ferrars,	Foley,
Ferrers,	Spencer,
Stanhope.	

Die Veneris, Apr. 23th.

Moved,

“ THAT an humble address be presented to his Majesty, that he will be graciously pleased to remove the Right Hon. John Earl of Sandwich, first commissioner for executing the office of Lord High Admiral of Great Britain, and one of his Majesty's most honourable privy council, from the said office of first Lord Commissioner of the Admiralty.”

After much debate, the question was put, and carried in the negative. Contents 39. Non-contents 78.

Dissentient,

Because, as it is highly becoming this great council of the nation to address his Majesty for the removal of any Minister for neglect of duty or incapacity, in order to prevent public detriment; so we conceive the notoriety of the facts in this debate sufficiently warrants, and the present alarming situation of public affairs loudly calls for, this interposition.

Abingdon,	Bolton,
Courtenay,	Harcourt,
Craven,	Grafton,
King,	Fitzwilliam,
Fortescue,	Richmond,
Spencer,	Stanford,
Ferrers,	Effingham,
Manchester,	Portland,
Rockingham,	Camden,
Bristol,	Egremont,
Scarborough,	Pembroke,
Radnor,	De Ferrars,
Wycombe.	

Dissentient,

Because, having made the motion alluded to in the above dissent,

I think it incumbent upon me to let posterity know the particular grounds I made that motion upon.

1st. Because, since the year 1771, there has been 6,917,872l. 5s. 0⁴. granted for naval purposes, more than was granted in an equal number of years, between 1751 and 1759, for the use of the navy, although we had been four years at war with France within that period.

2^{dly}. Because the navy of England appears to be reduced from what it was in the year 1771, when the present first Lord of the Admiralty succeeded to the head of that board, notwithstanding the immense sums granted for its support and increase since that time.

3^{dly}. Because it appears, after having received such repeated intelligence as hath been acknowledged to have been received from the 3^d of January, 1778, to the 27th of April following, of the equipment and progress of the Toulon Squadron, to their sailing on the 13th of April, 1778; the not sending a Squadron into the Mediterranean, to watch the motions of, and endeavour to intercept, the said French Squadron from passing the Straits, nor sending any reinforcement to Vice Admiral Lord Howe, or even dispatching Vice Admiral Byron till the 9th of June, 1778, was exposing the fleet as well as army of England, then employed in America, to a very superior force of France.

4^{thly}. Because it appears the sending of Admiral Keppel off Brest the 13th of June, with twenty sail of the line, when the Lords Commissioners of the Admiralty knew, or ought to have known,

known, that the French fleet then actually at Brest, and sitting for sea, consisted of 32 ships of the line, besides many heavy frigates, might have been productive at that time of the most fatal consequences to the only considerable naval force this kingdom had then ready for its protection, but also to the trade, and even the ports of these kingdoms. And if Admiral Keppel had remained with his 20 sail of the line off Brest, he must with those ships have engaged the French fleet of 30 sail of the line, who sailed on the 8th of July, as Admiral Keppel could not get the reinforcement even of four ships of the line to join him till the 9th of July, although he was then at St. Helens for that purpose.

5thly. Because it appears we lost that valuable island of Dominica, for want of timely reinforcements and proper instructions being sent to Admiral Barrington.

6thly. Because, for want of the smallest naval force being sent to the coast of Africa, we have also lost the valuable station of Senegal, which might in time, with proper attention, have opened new markets for our drooping manufactures.

7thly. Because it appears that the Admiralty, without any deliberation whatsoever, having so precipitately ordered a court martial upon a commander in chief, of great rank and character, which Admiral Keppel bears in his Majesty's fleet, was frustrating the salutary intentions of that discretionary power, lodged by the constitution in the lords commissioners for executing the office of Lord High Admiral of Great Britain, whereby all malicious and ill-founded

charges (by whomsoever exhibited) may be avoided, and the union and discipline of the service not interrupted.

BRISTOL.

June 17th the following Message was sent by the King to both Houses of Parliament.

GEORGE R.

THE ambassador of the King of Spain having delivered a paper to Lord Viscount Weymouth, and signified that he has received orders from his court, immediately to withdraw from this country; his Majesty has judged it necessary to direct a copy of that paper to be laid before both Houses of parliament, as a matter of the highest importance to the crown and people; and his Majesty acquaints them at the same time that he has found himself obliged, in consequence of this hostile declaration, to recall his ambassador from Madrid.

His Majesty declares, in the most solemn manner, that his desire to preserve and to cultivate peace and friendly intercourse with the court of Spain, has been firm and sincere; and that his conduct towards that power has been guided by no other principles than those of faith, honour, and justice. His Majesty sees with surprise the pretences in this declaration is great, some of the grievances in that paper have not the knowledge of his Majesty, either by representation of the Catholic King, or intelligence from any other source, and in all those cases

cations have been received, the matter of complaint has been treated with the utmost attention, and put into a course of enquiry and redress.

His Majesty has the firmest confidence, that his parliament will, with that zeal and public spirit, which he has so often experienced, support his Majesty in his resolution, to exert all the power, and all the resources of the nation, to resist and repel any hostile attempts of the court of Spain; and that, by the blessing of God, on the rectitude of his intentions, and the equity of his cause, his Majesty will be able to withstand and defeat the unjust and dangerous enterprizes of his enemies, against the honour of his crown, and the commerce, the rights, and the common interests of all his subjects.

The humble Address of the Right Honourable the Lords Spiritual and Temporal, in Parliament assembled,

“Most gracious Sovereign,
WE, your Majesty’s most dutiful and loyal subjects, the Lords Spiritual and Temporal, in parliament assembled, beg leave to return your Majesty our humble thanks for your most gracious message, and communication of the paper delivered to Lord Viscount Weymouth by the ambassador of the King of Spain, which we cannot but consider as a matter of the highest importance to your Majesty’s crown and people; and for acquainting us, that in consequence of this hostile declaration, your Majesty had found yourself

obliged to give orders to your ambassador to withdraw from that court.

We beg leave to assure your Majesty, that among the many proofs we have received of your Majesty’s constant care and concern for the safety and happiness of your people, your Majesty’s declaration of your sincere desire to preserve and to cultivate peace and friendly intercourse with the court of Spain, cannot fail to inspire us with the highest sentiments of gratitude and attachment; and that, animated by your Majesty’s example, we will, with unshaken fidelity and resolution, and with our lives and fortunes, stand by and support your Majesty against all the hostile designs and attempts of your enemies against the honour of your crown, and the rights and common interests of all your Majesty’s subjects.”

Upon the motion for the above address, an amendment was proposed by adding the following words:

“That in a moment so critical as that which now presents itself to the consideration of parliament, the most awful this country has ever experienced, it would be deceiving his Majesty, and the nation, if at the same time that we lament the fatal effect of those councils, which, by dividing and wasting the force of the empire, by civil wars, incited our natural enemies to take advantage of our weak and distracted condition; were we not to represent to his Majesty, that the only means of resisting the powerful combination that now threatens this country, will be by a total change of that system

system that has involved us in our present difficulties in America, in Ireland, and at home; by such means, attended with prudent economy and a due exertion of the forces of a free and united people, we trust that his Majesty, with the assistance of Divine Providence, will be able to withstand all his enemies, and to restore Great Britain to its former respected and happy situation."

The question being put, that those words stand part of the address, it was carried in the negative. Contents 32. Non-contents 57.

Dissentient,

Because the amendment proposed, recommending to his Majesty a change of system in the principles and conduct of the war, appears to us to be warranted by every consideration which prudence and experience can suggest, and to be called for by the extreme magnitude of the dangers which surround us. The formal surrender of all right to tax North America, proposed by the very same Ministers, who at the expence of *fifty thousand* lives, and *thirty millions* of money, had for three years successfully attempted to establish this claim, necessarily proves, either that those principles of legislation which they had thus asserted and thus abandoned were unjust in themselves, or that the whole power of Great Britain under their conduct was unable to effectuate a reasonable dependency of its own colonies. A dilemma dishonourable to them and ruinous to us; and which, whatever side is taken, proves them wholly undeserving of the future confidence of a Sove-

reign and a people whose implicit trust in them (the largest which ever was reposed by any King or any nation) they have abused in a manner of which the records of parliament and the calamities of the nation are but too faithful witnesses.

If the whole force of Great Britain and Ireland, aided by the most lavish grants, assisted by thirty thousand Germans, unobstructed for a long time by any foreign power, has failed in three campaigns against the unprepared provinces of North America; we should hold ourselves equally unworthy of all trust, if we were willing to confide in those abilities which have totally failed in the single contest with the colonies, for rescuing us from the united and fresh efforts of France and Spain, in addition to the successful resistance of North America.

In such a situation, a change of system appeared to us to be our indispensable duty to advise. We have considered such a change as the only means of procuring that union of councils, that voluntary effort of every individual in the empire which is necessary to be called forth in this hour of danger. We have readily concurred in a sincere offer of our lives and fortunes in support of his Majesty against the attacks of his enemies. Those valuable pledges, both of what is our own personally, and of what belongs to our fellow citizens (which ought to be, and are no less dear to us), give us a full right to claim and demand some better security for their being employed with judgment and effect, for the purposes for which we offer them, than can be derived from the opinions, in which

which all mankind concur, of the total want of capacity of his Majesty's Ministers.

We have avoided recommending any specific measures, in order not to embarrass government in a moment of such difficulty: but we have no scruple in declaring, that whatever may be the future conduct of Great Britain with respect to America, the collecting our force at a proper time to resist and to annoy our natural rivals and ancient enemies, seems to us beyond a doubt to be proper and expedient.

2dly. We think this advice the more seasonable, because we know the obstinate attachment of the Ministers to that unfortunate system, from the fatal predilection to which they have suffered the safety of the state to be endangered, and the naval strength of our powerful, jealous, and natural rivals to grow under their eyes, without the least attempt at interruption, until it had arrived at its present alarming magnitude, insidious combination, and hostile direction.

3dly. This plan appears to us strongly enforced, by the melancholy condition in which the misconduct and criminal neglects of the Ministers have placed us.—Our best resources wasted and consumed; the British empire rent asunder; a combination of the most powerful nations formed against us, with a naval superiority both in number of ships and alacrity of preparation; and this country now, for the first time, left entirely exposed, without the aid of a single ally. We should think ourselves partakers in the offences of the Ministers, and accessories to our own destruction, if

we neglected any possible means of securing a proper application of all the force we have left, from a blind confidence in persons, on whose account no nation in Europe will have any confidence in us. A manly disposition in parliament to apply the national wisdom to the cure of the national distempers, would restore our credit and reputation abroad, and induce foreign nations to court that alliance which they now fly from; would invigorate our exertions at home; and call forth the full operation of that British spirit which has so often, under the direction of wise counsel and a protecting Providence, proved superior to numbers; but which can have no existence but from a well-founded opinion, that it is to be exerted under Ministers and commanders who possess the esteem and affection of the people.

We have in vain called for some plan on which to build better hopes, or for some reason for adhering to the present system.

We have in vain requested to know what have been the circumstances of the mediation, what are the grievances complained of by the Spanish court, in order that we may weigh the justice of that war in which we are going to engage, on which foundation alone we can rely for the protection of Providence.

We have urged the necessity of the great council of the nation continuing to sit, that his Majesty may not be deprived of the advice of parliament in such a difficult crisis.

All these representations have been met with a fallen and unsatisfactory silence; which gives us but

but too much reason to conclude, that Ministers mean to persevere in that unhappy course, which has been the cause of all our misfortunes.

After doing our utmost to awaken the House to a better sense of things, we take this method of clearing ourselves of the consequences which must result from the continuance of such measures.

Richmond,	Manchester,
Abergavenny,	Effingham,
Derby,	Ferrers,
De Ferrars,	King,
Harcourt,	Portland,
Rockingham,	Radnor,
Scarborough,	Coventry,
Ponsonby,	Hertford,
Devonshire,	Foley.
Egremont,	

Die Martis, 29° Junii, 1779.

THE bill for the more effectually manning the navy was read a third time. Then an amendment being proposed to be made thereto; the same was objected to after a long debate. The question was put thereupon. Resolved in the affirmative. Then it was moved to re-commit the bill. The question was put thereupon. Resolved in the negative. Contents 24. Not-contents 50.

Dissentient,

Because the re-commitment of this bill, which was moved, but which the House has thought proper to negative, appeared to us to be absolutely necessary for the introduction of such alterations as might, we hope, have enabled the House to concur unanimously in the suspension of those acts of parliament which stand in the way of

the extraordinary supply of men wanted for equipping the fleet on the present emergency; an unanimity at this time is certainly desirable, which we have shewn our readiness to produce, by offering to acquiesce in measures of considerable hardship and oppression, on account of the deplorable situation, to which this country is reduced; although that situation, so far from being imputable to us, is to be ascribed solely to that obstinate adherence to a system, of which we have constantly foretold the consequences we now so unhappily experience.

We wished in the committee not to have suffered the day of the commencement of this bill to remain, as it now stands the sixteenth of the present month, a period antecedent by fourteen days to the passing of this bill, whereby it has a retrospective operation, and becomes an *ex post facto* law, contrary to every principle of justice, contrary to parliamentary faith, and contrary to true policy.

We wished to have accompanied this alteration in the committee with an act of indemnity for the avowed breach of the laws now in being; we offered to consent to this indemnity in the fullest manner that could be wished, although the proofs we repeatedly called for, of the extent of the benefit, were refused; proofs which we did not require to be attended with that degree of strictness which could render it difficult to produce them; proofs, which in common cases, from an essential part of the grounds on which the infractor of law is to be saved harmless, but which, in the present instance,

we would have dispensed with in favour of the intention.

We wish, by no means, to discourage future ministers from extraordinary exertions, when warranted by sufficient necessity; but we think it due to the dignity of parliament, as well as to the safety of the constitution, on all occasions, but more especially where the parliamentary faith has been so deeply pledged, to give to acts of indemnity all possible solemnity, that they may never come to be considered as acts of right, but as acts of the last necessity; recognizing upon the face of them the force of the law, and stating, as far as the occasion will admit, the necessity of the violation. A precedent in point stands in the statute-book; 7 Geo. III. chap. 7. and we can see no reason why it has not been precisely followed.

In direct opposition to this precedent, the present bill does not in the title, preamble, or in any part, directly mark its intermediate object; it no where directly recognizes the power of the law; it no where states the necessity, nor the obtainable advantage, which can alone justify the proceeding; both the violation itself, and the indemnity it is to obtain, come only incidentally and indirectly under the last clause. It has been hurried through parliament in a most uncommon manner, and establishes a new, dangerous and most alarming precedent.

Such an act of indemnity as was proposed, would have preserved the principle that laws are sacred, that nothing less than the legislative power itself can protect those who infringe them, and that such

protection is given only in cases of extreme necessity.

The objection, that a great service already obtained by the number of men impressed since the 16th of this month, would be lost by their being to be discharged, if the act had no retrospect to the time when they were seized, by no means applies to the question of re-commitment which the House has rejected. It appeared in debate, that of the number of men pressed on this occasion, and which has not even been computed to be very considerable, by far the greater part had only Admiralty protections, and were not protected by the acts now proposed to be suspended. And it was by no means impossible but that such bounties or encouragements might have been suggested in the committee, as would have induced the greater part of those who had the faith of parliament for their security, to enter voluntarily into the service at this critical conjuncture.

Every good purpose therefore of this bill might have been obtained, and probably a general concurrence in its support produced by simply acquiescing in a proper security for the observance of law.

But when we see this proposal refused, when we see that part of the preamble pertinaciously adhered to, which aims at establishing, as a general principle, that whatever may be deemed an arduous and difficult conjuncture, makes it equally just and expedient to infringe law, when we see a proposed amendment for confining that reasoning to the case which gives rise to the measure, namely, the

the present conjuncture, rejected, we cannot but see with a jealous eye this and every opportunity taken of establishing some doctrine subversive of liberty and our happy free constitution.

At such a time as this, when ministers avow their just fears of foreign invasion, which their misconduct has invited, to create fresh jealousies in respect to that liberty which is alone worth contending for, which is the best support to his Majesty's crown, and the surest foundation of that true affection of his people on which his Majesty can alone rely for effectual and general resistance to a foreign yoke, is a degree of infatuation we cannot comprehend!

Ancaſter and	Wycombe,
Kettering,	Manchester,
Richmond,	Rockingham,
Scarborough,	Fitzwilliam,
Abergavenny,	Cholmondeley,
Fortſcue,	Bolton,
De Ferrars,	Effingham.
Portland,	

Then the question was put, whether this bill, with the amendments, ſhall paſs? Contents 51. Not-contents 20.

Resolved in the affirmative.

Dissentient,

Because the acquiescence of the country in the mode of impressing seamen (tolerated only because the necessity of the measure is alledged by persons of great experience in naval matters, and hitherto is not disproved) has been by positive acts of the legislature interpreted and determined, with respect to the several persons, objects of this bill, who have therefore not only all the rights of this kingdom, in common with their fellow subjects,

but the security of especial acts of parliament, made expressly to check and curb that acquiescence with respect to them.

2dly. Because the protection given by such acts, in confidence of which these persons have engaged in their respective occupations, has, in my opinion, the nature of a contract, and is, by every rule of equity, indissoluble, except by the voluntary consent of the parties, or upon a compensation satisfactory to, and accepted by them, or in extreme necessity, on the tender of such advantages as the wisdom of the legislature should direct, and its justice should make a complete, adequate, and ample equivalent for such an infringement of their rights.

3dly. Because at the very time protections thus held out by parliament to certain persons, as invitations and encouragements to undertake certain services, were boldly violated; the customary exemptions of certain watermen, licensed by the members of this House, unauthorized (as I conceive) by any law, and unknown to any court, though stated in the House by the same noble Lord who has infringed these protections, to be constructively disclaimed by a vote of this House, were yet declared by him to be, from deference and respect, held sacred.

4thly. Because the bill, so far as it is an act of indemnity, is inconsonant with reason, contradicted by precedent, and dangerous in practice.

First, with respect to the persons to be indemnified, as it does not contain an honest avowal of the transgression; as it does not stake the minister to an intentional viola-

violation of the law for the public good, to be subsequently approved and justified on that ground by a public indemnity, but contents itself with the abatement of suits and actions.

And secondly and chiefly, with respect to the constitution of the kingdom, to which it offers no satisfaction for the violation of the law; as it acknowledges only by construction and reference to dates, that it has been violated; as it attempts to confound the just ideas of prospective legislation by authorizing a measure from a day which has already long elapsed, and as it totally omits to state not only that the effect has been adequate to the measure, and that therefore the measure is salutary, and that it has had any effect whatever.

RADNOR.

For the first and fourth reasons,
Portland, De Ferrars.
Abergavenny,

On Saturday, July 3, his Majesty closed the Session of Parliament with the following Speech.

My Lords and Gentlemen,
THE many great and essential services you have rendered to me and to your country, during the course of your long attendance in parliament, demand my most cordial thanks.

I have seen with entire approbation the zeal you have manifested for the support and prosecution of the just and necessary war in which I am engaged, nor am I less sensible of your attention to the present state of the kingdom of Ireland: my paternal affection for all

my people makes me sincerely anxious for the happiness and prosperity of every part of my dominions.

Hitherto the events of war have afforded the court of France no reason to triumph on the consequences of their injustice and breach of public faith; and I trust that by a spirited and prosperous exertion of the force you have put into my hands, that ambitious power may be brought to wish that they had not, without provocation or cause of complaint, insulted the honour, and invaded the rights of my crown.

I have already acquainted you with the hostile step which has been lately taken by the court of Spain. Whatever colour may be attempted to be put upon that unjust proceeding, I am conscious that I have nothing to reproach myself with: it has been followed by the clearest demonstrations of the loyalty and affection of my parliament to my person and government, for which I repeat to you my warmest thanks; and I consider it as a happy omen of the success of my arms, that the increase of difficulties serves only to augment the courage and constancy of the nation, and to animate and unite my people in the defence of their country, and of every thing that is dear to them.

The advanced season of the year requires that I should afford you some recess from public business, and I do it with the less reluctance, as, by the powers vested in me by law, I can have the aid of your advice and assistance within fourteen days, should any emergency make it necessary for me to convene you before the usual time.

Gentle-

Gentlemen of the House of Commons,

The various and extensive operations of the war have unavoidably occasioned uncommon expence, and brought additional burdens on my faithful and beloved people, which I most sincerely regret: I cannot sufficiently thank you for the confidence you have reposed in me, and for the chearfulness and public spirit with which the large supplies for the current year have been granted.

My Lords and Gentlemen,

It is impossible to speak of the continuance of the rebellion in North America without the deepest concern; but we have given such unquestionable proofs of our sincere disposition to put an end to those troubles, that I must still hope that the malignant designs of the enemies of Great Britain cannot long prevail against the evident interests of those unhappy provinces, and that they will not blindly persist in preferring an unnatural and dangerous connection with a foreign power, to peace and re-union with their mother-country.

Then the Lord Chancellor, by his Majesty's command, said,

My Lords and Gentlemen,

It is his Majesty's royal will and pleasure, that this parliament be prorogued to Thursday, the 5th of August next, to be then here holden; and this parliament is prorogued to Thursday, the 5th of August next.

Dublin Castle, October 12.

THIS day the parliament having met according to the last prorogation, his Excellency the Lord Lieutenant went in state to the House of Peers, and the Commons being sent for and come thither accordingly, his Excellency made the following speech to both Houses:

My Lords, and Gentlemen,

AT a time when the trade and commerce of this kingdom are, in a more particular manner, the objects of public attention, it were to be wished that the general tranquillity, ever desirable, had been restored, so as to have left you entirely at leisure to deliberate on those great and important subjects. But I am persuaded you will not permit any interests, however dear to you, to impede your efforts, or disturb your unanimity at this most important period: and I have it expressly in command from his Majesty to assure you, that the cares and solitudes inseparable from a state of hostility, have not prevented him from turning his royal mind to the interests and distresses of this kingdom with the most affectionate concern; of which the money remitted to this country for its defence, when England had every reason to apprehend a most formidable and immediate attack, affords a convincing proof. Anxious for the happiness of his people, his Majesty will most chearfully co-operate with his Parliament in such measures as may promote the common interests of all his subjects.

I have the pleasure to inform you of an accession to his Majesty's family since the last session of Parliament,

liament, by the birth of another Prince. May the same Providence that continues to increase his domestic felicity, protect the honour of his crown, and the happiness of his people.

Gentlemen of the House of Commons,

It is with great concern I am to inform you, that on account of the extraordinary decline of the revenues, the very liberal supplies of the last session have proved inadequate to the exigencies of government; so that, contrary to my most sanguine expectations, and most earnest endeavours, there is a considerable arrear now to be provided for.

His Majesty, from his paternal attention to the interests of his people, and his solicitude to obviate to the utmost, the necessity of increasing their burdens, has graciously commanded me to declare to you, that the greatest economy shall in every instance be exerted, as far as may be consistent with the honour of his crown, and the real interests of the nation.

I have ordered the public accounts, and other necessary papers, to be laid before you; and I have no doubt that your known loyalty to your King, and attachment to your country, will induce you to go as far as the national abilities will admit, in making a provision suitable to the exigency of the times, and the honourable support of his Majesty's government.

My Lords and Gentlemen,

The united efforts and great military preparations of the house of Bourbon seem only to have

VOL. XXII.

roused the courage, and called forth the exertions of his Majesty's brave and loyal subjects of this kingdom. I have only to lament, that the exhausted state of the treasury has hitherto put it out of my power to give those exertions the most extensive and constitutional operation, by carrying the militia laws into execution.

I am persuaded you will not suffer any dangers that may be threatened from abroad to draw off your attention from wife and necessary domestic regulations; and that, among the many subjects worthy of your consideration, the Protestant charter schools and linen manufacture will continue to be objects of your serious attention.

In promoting these, and in all other measures that may tend to increase the prosperity and improve the true interests of this kingdom, I am bound to co-operate with you by a double tie of inclination and duty. Nothing can ever affect me with more real satisfaction, than the exerting my best endeavours for the welfare of Ireland; nor can I ever render a more acceptable service to my Sovereign, than in promoting the happiness of his people.

The humble Address of the Lords Spiritual and Temporal, to Parliament assembled, to his Excellency the Lord Lieutenant; with his Excellency's Answer.

May it please your Excellency,
WH, his Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal in Parliament assembled, return your
 [2] Excel.

Excellency our sincere thanks for your most excellent speech from the throne.

We feel ourselves happy in being again assembled in Parliament under your Excellency's administration, of which we have had such experience, as fills us with the best grounded hopes and confidence, that, assisted by your Excellency's knowledge of, and earnest desire to promote the true interest of this country, such things may be accomplished, as may eminently distinguish the present session of parliament, by the wise provision, and useful regulations which shall be made in it, for restoring and establishing the national prosperity.

We cannot doubt of your Excellency's faithful representations of this country, when we hear from the throne, as we have done, that his Majesty hath graciously condescended to assure us, that the cares and solitudes inseparable from a state of hostility, have not been able to prevent him from turning his thoughts to the interest and distresses of this kingdom, and to afford us such a proof as he has done of his affectionate concern, by the remittance made to this country for its support.

We rejoice with your Excellency, on the happy accession to his Majesty's royal family by the birth of another Prince.

We congratulate with your Excellency, that, notwithstanding the united efforts of his Majesty's enemies, there is that display of courage and manifestation of zeal for the support of his Majesty's sacred person and government, through all orders and ranks of the people in this kingdom, as shews

that his Majesty's loyal subjects here, are so far from being cast down and dismayed, by any hostile efforts or threats, that they are animated to a degree, that rouses the brave and military spirit of this country, that hath so eminently distinguished itself at all times.

We beg leave to assure your Excellency, that we will not suffer any dangers, with which we may be threatened from abroad, to draw off our attention from wise and domestic regulations; and that among the great objects, worthy of our consideration, the Protestant charter schools, and linen manufacture, will continue to have a just share of our attention.

We cannot but offer to your Excellency our most grateful thanks, for the kind assurance that you have given us, of your co-operating with us in promoting such measures, as may tend to increase the prosperity, or improve the true interest of this kingdom;—and, relying upon the proofs which your Excellency hath given us, in your past conduct, of your good wishes, we trust, that your Excellency's best endeavours will never be wanting, to forward and promote the welfare of Ireland.

His Excellency's Answer.

My Lords,

The same indulgent partiality which dictated the terms of your Lordships Address, will, I flatter myself, excuse my not finding language sufficiently forcible to express my thanks. It shall be my study to persevere in that line of conduct, which has been deemed deserving of your approbation.

Translation

*Translation of the King of France's
Declaration of War at Martinico.*

THE insult offered to my flag by a frigate belonging to his Britannic Majesty, in her treatment of my frigate the *Belle Poule*; the capture by an English Squadron of my frigates the *Licorne* and *Pallas*, and of my cutter, the *Coureur*, contrary to the law of nations; the capture at sea and confiscation of ships belonging to my subjects, by the English, contrary to the faith of treaties; the continual interruption and injury occasioned to the maritime commerce of my kingdom, and of my colonies in America, as well by ships of war as by privateers, authorized by his Britannic Majesty; the depredations committed and encouraged, by which these injurious proceedings, but chiefly the insult offered to my flag, have forced me to lay aside that moderation which I proposed to observe, and will not allow me any longer to suspend the effects of my resentment.

The dignity of my crown, and the protection which I owe to my subjects, oblige me to make reprisals, and to act in a hostile manner against the English nation. I therefore authorize my ships to attack, and endeavour to take and destroy all ships, frigates, and other vessels they may meet with, belonging to the King of England, and also to seize and detain all English mercantile vessels which they may encounter; and I likewise authorize my troops to attack, seize, and occupy the possessions of his Britannic Majesty.

I therefore write this letter to inform you, that it is my desire,

that you employ all the land and sea forces under your direction, in attacking and seizing the possessions of the King of England, his ships, frigates, and other vessels, also the merchant ships belonging to his subjects, and for that purpose you may exercise, and cause to be exercised, *all manner of hostilities authorized by the laws of war*; I am assured in finding in the justness of my cause, in the courage and skill of my land and sea forces, in the bravery and attachment of my soldiers and sailors, and in the love of my subjects in general, the resources which I have always experienced from them, my present conduct having no other tendency than to promote their happiness.

I pray God, Monsieur le Marquis de Bouille, that he may take you under his holy protection.

(Signed)

LOUIS.

DE SARTINE.

Versailles, 28th June, 1778.

A DECLARATION,

Addressed in the Name of the King of France to all the antient French in Canada, and every other Part of North-America. (Translated from the French.)

THE undersigned, authorised by his Majesty, and thence clothed with the noblest titles, with that which effaces all others, charged in the name of the father of his country, and the beneficent protector of his subjects, to offer a support to those who were born to enjoy the blessings of his government—

[Z] 2

76

To all his Countrymen in North-America.

You were born French; you never could cease to be French. The late war, which was not declared but by the captivity of nearly all our seamen, and the principal advantages of which our common enemies entirely owed to the courage, the talents, and the numbers of the brave Americans, who are now fighting against them, has wrested from you that which is most dear to all men, even the name of your country. To compel you to bear the arms of parricides against it, must be the completion of misfortunes: with this you are now threatened: a new war may justly make you dread being obliged to submit to this most intolerable law of slavery. It has commenced like the last, by depredations upon the most valuable part of our trade. Too long already have a great number of unfortunate Frenchmen been confined in American prisons. You hear their groans. The present war was declared by a message in March last, from the King of Great Britain to both Houses of Parliament; a most authentic act of the British sovereignty, announcing to all orders of the State, that to trade, (with America) though without excluding others from the same right, was to offend; that frankly to avow such intention, was to defy this sovereignty; that she should revenge it, and deferred this only to a more advantageous opportunity, when she might do it with more appearance of legality than in the last war; for she declared that she had the right, the will, and the ability to revenge, and accordingly

she demanded of Parliament the supplies.

The calamities of a war thus proclaimed, have been restrained and retarded as much as was possible, by a monarch whose pacific and disinterested views now reclaim the marks of your former attachment, only for your own happiness. Constrained to repel force by force, and multiplied hostilities by reprisals which he has at last authorised, if necessity should carry his arms, or those of his allies, into a country always dear to him, you have not to fear either burnings or devastations: and if gratitude, if the view of a flag always revered by those who have followed it, should recall to the banners of France, or of the United States, the Indians who loved us, and have been loaded with presents by him, whom they also call their father; never, no never shall they employ against you their too cruel methods of war. Those they must renounce, or they will cease to be our friends.

It is not by menaces that we shall endeavour to avoid combat with our countrymen; nor shall we weaken this declaration by invectives against a great and brave nation, which we know how to respect, and hope to vanquish.

As a French gentleman, I need not mention to those among you who were born such as well as myself, that there is but one august House in the universe, under which the French can be happy, and serve with pleasure; since its head, and those who are nearly allied to him by blood, have been at all times, through a long line of monarchs, and are at this day
more

more than ever delighted with bearing that very title which Henry IV. regarded as the first of his own. I shall not excite your regrets for those qualifications, those marks of distinction, those decorations, which, in our manner of thinking, are precious treasures, but from which, by our common misfortunes, the American French, who have known so well how to deserve them, are now precluded. These, I am bold to hope, and to promise, their zeal will very soon procure to be diffused among them. They will merit them, when they *dare to become the friends of our allies.*

I shall not ask the military companions of the Marquis of Levi, those who shared his glory, who admired his talents and genius for war, who loved his cordiality and frankness, the principal characteristics of our nobility, whether there be other names in other nations, among which they would be better pleased to place their own.

Can the Canadians, who saw the brave Montcalm fall in their defence, can they become the enemies of his nephews? Can they fight against their former leaders, and arm themselves against their kinsmen? At the bare mention of their names, the weapons would fall out of their hands.

I shall not observe to the ministers of the altars, that their evangelic efforts will require the special protection of Providence, to prevent faith being diminished by example, by worldly interest, and by sovereigns whom force has imposed upon them, and whose political indulgence will be lessened proportionably as those sovereigns

shall have less to fear. I shall not observe, that it is necessary for religion, that those who preach it should form a body in the State; and that in Canada no other body would be more considered, or have more power to do good than that of the priests, taking a part to the government, since their respectable conduct has merited the confidence of the people.

I shall not represent to that people, nor to all my countrymen in general, that a vast monarchy, having the same religion, the same manners, the same language, where they find kinsmen, old friends and brethren, must be an inexhaustible source of commerce and wealth, more easily acquired and better secured, by their union with powerful neighbours, than with strangers of another hemisphere, among whom every thing is different, and who, jealous and despotic governments, would sooner or later treat them as a conquered people, and doubtless much worse than their late countrymen the Americans, who made them victorious. I shall not urge to a whole people, that to join with the United States, is to secure their own happiness; since a whole people, when they acquire the right of thinking and acting for themselves, must know their own interest; but I will declare, and I now formally declare in the name of his Majesty, who has authorised and commanded me to do it, that all his former subjects in North America, who shall no more acknowledge the supremacy of Great Britain, may depend upon his protection and support.

Done on board his Majesty's ship the Languedoc, in the harbour

358] ANNUAL REGISTER, 1779.

bour of Boston, the 28th day of October, in the year 1778.

ESTAING.

BIGREL DE GRANDCLOS,
Secretary, appointed by the
King, to the Squadron com-
manded by the Count D'Es-
taing.

Done at Versailles the 5th day
of the month of April, in the year
of Grace, 1779, and in the 5th of
our reign.

(Signed) LOUIS.
And underneath, DE SARTINE.

*Letter from the French King to the
Admiral of France, fixing the
Time from whence the Commence-
ment of Hostilities was to be con-
sidered.*

*To his Serene Highness, my Lord, the
Admiral.*

COUSIN,

I Am informed that doubts have
arisen on the period from
which ought to be fixed the com-
mencement of hostilities, and that
from this incertitude may result
many disputes prejudicial to com-
merce. To prevent which, I have
thought proper to explain to you
more particularly what I have al-
ready sufficiently told you in my
letter of the 10th of July. I charge
you, in consequence, to inform
those who are under your orders,
that the insult done to my flag on
the 17th of June, 1778, by the
English Squadron seizing my fri-
gates, the Pallas and the Licorne,
puts me to the necessity of making
reprisals, and that it is from that
day, the 17th of June, 1778, that
I fix the commencement of hos-
tilities against my subjects, by the
subjects of the King of England.
These being for this purpose only,
I pray God, that he will take my
cousin into his holy and merciful
protection.

*Letter from the French King, to his
Serene Highness the Admiral of
France. Dated June 5, 1779.*

(Translated from the French.)

COUSIN,

THE desire I have always had
of softening, as much as in
my power lies, the calamities of
war, has induced me to direct my
attention to that part of my sub-
jects who employ themselves in
the fisheries, and who derive their
sole subsistence from those re-
sources. I suppose that the ex-
ample, which I shall now give to
my enemies, and which can have
no other views than what arise
from sentiments of humanity, will
induce them to grant the same li-
berty to our fisheries, which I re-
adily grant them. In consequence
whereof, I send you this letter to
acquaint you, that I have given
orders to all the commanders of
my vessels, armed ships, and cap-
tains of privateers, not to molest
(until further orders) the English
fishery, nor to stop their vessels,
whether they be laden with fresh
fish, or not having taken in their
freight; provided, however, that
they do not carry offensive arms,
and that they are not found to
have given signals, which might
indicate their holding an intelli-
gence with the enemy's ships of
war. You will make known these
my intentions to the officers of the
Admi-

Admiralty, and to all who are under your orders. Such being the purposes of these presents, I pray God, my Cousin, that he will grant you his holy protection.

Given at Versailles, the 5th day of June, in the year 1779.

Signed

LOUIS.

Counterigned

DE SARTINE.

Copy of a Paper delivered to Lord Viscount Weymouth, by the Marquis d'Almadovar, the 16th June, 1779.

ALL the world has been witnesses to the noble impartiality of the King, in the midst of the disputes of the Court of London with its American colonies and with France. Besides which, his Majesty having learned that his powerful mediation was desired, generously made an offer of it, which was accepted by the belligerent powers, and for this motive only a ship of war was sent on the part of his Britannic Majesty to one of the ports of Spain. The King has taken the most energetic steps, and such as ought to have produced the most happy effect, to bring those powers to an accommodation equally honourable to both parties; proposing for this end wise expedients for smoothing difficulties, and preventing the calamities of war. But although his Majesty's propositions, and particularly those of his *Ultimatum*, have been conformable to those which at other times the Court of London itself had appeared to judge proper for an accommodation, and which were also quite as moderate, they have been rejected

in a manner that fully proves the little desire which the British Cabinet has to restore peace to Europe, and to preserve the King's friendship. In effect, the conduct of that Cabinet, with regard to his Majesty, during the whole course of the negotiation, has had for its object to prolong it for more than eight months, either by vain pretences, or by answers which could not be more inconclusive, whilst in this interval the insults on the Spanish flag, and the violation of the King's territories were carried on to an incredible excess; prizes have been made, ships have been searched and plundered, and a great number of them have been fired upon, which have been obliged to defend themselves; the registers have been opened and torn in pieces, and even the packets of the Court found on board the King's packet-boat.

The dominions of the Crown in America have been threatened, and they have gone to the dreadful extremity of raising the Indian nations, called the Chatcas, Cherokies, and Chicachas, against the innocent inhabitants of Louisiana, who would have been the victims of the rage of these barbarians, if the Chatcas themselves had not repented, and revealed all the seduction the English had planned. The sovereignty of his Majesty in the province of Darien, and on the coast of St. Blas, has been usurped, the Governor of Jamaica having granted to a rebel Indian the commission of Captain-general of those provinces.

In short, the territory of the Bay of Honduras has been recently violated by exercising acts of hostility, and other excesses, against

the Spaniards, who have been imprisoned, and whose houses have been invaded; besides which, the Court of London has hitherto neglected to accomplish what the 16th article of the last treaty of Paris stipulated relative to that coast.

Grievances so numerous, so weighty, and recent, have been at different times the object of complaints made in the King's name, and stated in memorials which were delivered either to the British Ministers at London, or transmitted to them through the channel of the English Ambassador at Madrid; but although the answers which were received have been friendly, his Majesty has hitherto obtained no other satisfaction than to see the insults repeated, which lately have amounted to the number of one hundred.

The King, proceeding with that sincerity and candour which characterize him, has formally declared to the court of London, from the commencement of its disputes with France, that the conduct of England should be the rule of that which Spain would hold.

His Majesty likewise declared to that Court, that at the time their differences with that of Paris might be accommodated, it would be absolutely necessary to regulate those which had arisen, or might still arise, with Spain, and in the plan of mediation which was sent to the under-written Ambassador the 28th of last September, and which was by him delivered to the British Ministry in the beginning of October, a plan with which Lord Grantham was apprized, and of which he received a copy, his Majesty declared in positive terms to the belligerent powers, that in

consideration of the insults which his subjects and dominions had suffered, and likewise of the attempts levelled against his rights, he should be under the necessity of taking his part, in case the negotiation, instead of being continued with sincerity, should be broken off, or should produce no effect.

The causes of complaint given by the Court of London not having ceased, and that Court shewing no dispositions to give reparation for them, the King has resolved, and orders his Ambassador to declare, that the honour of his crown, the protection which he owes to his subjects, and his own personal dignity, do not permit him to suffer their insults to continue, and to neglect any longer the reparation of those already received, and that in this view, notwithstanding the pacific dispositions of his Majesty, and even the particular inclination he had always had and expressed for cultivating the friendship of his Britannic Majesty, he finds himself under the disagreeable necessity of making use of all the means which the Almighty has intrusted him with, to obtain that justice which he has solicited by so many ways, without being able to acquire it; in confiding on the justice of his cause, his Majesty hopes that the consequences of this resolution will not be imputed to him before God or man, and that other nations will form a suitable idea of this resolution, by comparing it to the conduct which they themselves have experienced on the part of the British Ministry.

(Signed)

LE MARQUIS D'ALMADOVAR.
London, 16 June, 1779.

Orders

Orders for Reprisals by the Court of London.

At the Court at St. James's, the
18th of June, 1779.

P R E S E N T,

The KING's Most Excellent
Majesty in Council.

WHEREAS the Ambassador of the King of Spain has, by order of his Court, delivered to Lord Viscount Weymouth a paper, in which it is declared, that his Catholic Majesty intends to have recourse to arms, under the groundless pretence of obtaining reparation for injuries supposed to have been received; and whereas the said Ambassador has received orders to retire from this kingdom without taking leave; his Majesty, being determined to take such measures as are necessary for vindicating the honour of his crown, is pleased, by and with the advice of his Privy Council, to order, and it is hereby ordered, that general reprisals be granted against the ships, goods, and subjects of the King of Spain, so that as well his Majesty's fleet and ships, as also all other ships and vessels that shall be commissioned by letters of marque or general reprisals, or otherwise, by his Majesty's Commissioners, for executing the office of Lord High Admiral of Great Britain, shall and may lawfully seize all ships, vessels, and goods belonging to the King of Spain or his subjects, or others inhabiting within any the territories of the King of Spain, and bring the same to judgment in any of the Courts of Admiralty within his Majesty's

dominions; and to that end his Majesty's Advocate-General, with the Advocate of the Admiralty, are forthwith to prepare the draught of a commission, and present the same to his Majesty at this board, authorising the Commissioners for executing the office of Lord High Admiral, or any person or persons by them empowered and appointed, to issue forth and grant letters of marque and reprisal to any of his Majesty's subjects, or others whom the said Commissioners shall deem fitly qualified in that behalf, for the apprehending, seizing, and taking the ships, vessels, and goods belonging to Spain, and the vassals and subjects of the King of Spain, or any inhabitants within his countries, territories, or dominions; and that such powers and clauses be inserted in the said commission as have been usual, and according to former precedents; and his Majesty's said Advocate General, with the Advocate of the Admiralty, are also forthwith to prepare the draught of a commission, and present the same to his Majesty at this Board, authorising the said Commissioners for executing the office of Lord High Admiral, to will and require the High Court of Admiralty of Great Britain, and the Lieutenant and Judge of the said Court, his surrogate or surrogates, as also the several Courts of Admiralty within his Majesty's dominions, to take cognizance of, and judicially proceed upon all, and all manner of captures, seizures, prizes, and reprisals of all ships or goods that are or shall be taken, and to hear and determine the same; and according to the course of Admiralty, and the laws of nations, to adjudge, and

and condemn all such ships, vessels, and goods, as shall belong to Spain, or the vassals and subjects of the King of Spain, or to any others inhabiting within any of his countries, territories, and dominions; and that such powers and clauses be inserted in the said commission as have been usual and are according to former precedents; and they are likewise to prepare and lay before his Majesty at this Board, a draught of such instructions as may be proper to be sent to the Courts of Admiralty in his Majesty's foreign governments and plantations, for their guidance herein; as also another draught of instructions for such ships as shall be commissioned for the purposes afore mentioned.

Proclamation relative to an Invasion.

By the KING.

A PROCLAMATION.

GEORGE R.

WHEREAS we have received intelligence, that preparations are making by our enemies to invade this our kingdom, the safety and defence of which requires our utmost care, and wherein, by the assistance and blessing of God, we are resolved not to be wanting; and to the intent that they may not, in case of their landing, strengthen themselves, by seizing the horses, oxen, and cattle of our subjects, which may be useful to them for draught or burthen, or be easily supplied with provisions, we have therefore thought fit, and do by our Royal Proclamation, by the advice of

our Privy Council, strictly charge and command the Warden of the Cinque Ports, his Lieutenants, Deputy or Deputies, and all and every the Lieutenants and Deputy Lieutenants of our counties, and all Sheriffs, Justices of the Peace, Mayors, Bailiffs, and all and every other Officers and Ministers, civil and military, within their respective counties, cities, towns, and divisions, that they cause the coasts to be carefully watched, and upon the first approach of the enemy, immediately to cause all horses, oxen, and cattle, which may be fit for draught or burthen, and not actually employed in our service, or in the defence of the country, and also (as far as may be practicable) all other cattle and provisions, to be driven and removed to some place of security; and to such a distance from the place where the enemy shall attempt, or appear to intend, to land, so as they may not fall into the hands or power of any of our enemies; wherein, nevertheless, it is our will and pleasure, that the respective owners thereof may suffer as little damage, loss, or inconvenience as may be consistent with the public safety: and we do hereby further strictly charge and command all our subjects to be aiding and assisting in the execution of this our royal command.

Given at our Court at St. James's the ninth day of July, one thousand seven hundred and seventy-nine, in the nineteenth year of our reign.

GOD save the KING.

Translation

*Translation of the two Royal Cb-
dules of the King of Spain.*

DON Carlos, by the grace of God, King of Castile, Leon, Arragon, the Two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Cordova, Corsica, Murcia, Jaen, the Algarves, Algazires, *Gibraltar*, the Canary Islands, the East and West Indies, the Islands and Terra Firma, of the Ocean—Archduke of Austria, Duke of Burgundy, Brabant, and Milan, Count of Hapsburg, Flanders, Tirol, and Barcelona, Lord of Biscay, and Molina, &c.

To my Council, to the Presidents, and Auditors of my audiences and chanceries; to the Alcaldes [Mayors] and Alguazils [Constables] of my Household and Court. To the Corrigidors [Judges] Aflistants, Governors, Alcaldes Majors [Chief Mayors] and ordinary, as well of the crown as of their lordships, to the abbeys and religious orders, and to all other persons of whatsoever rank, quality, and condition they may be, in the cities, towns, and places of my kingdoms and lordships; you are to know, that the 21st of this month I thought proper to address to my council a decree, concluded in these terms, and signed by my hand:

In spite of the earnest desire I have always had, to preserve to my faithful and well-beloved subjects the inestimable advantage of peace; and notwithstanding the extraordinary efforts that I have made at all times, but particularly in the present critical circumstances of Eu-

rope, to obtain so essential an object, carrying my moderation and patience to an extreme; I beheld myself at last under the hard necessity of ordering my ambassador, the Marquis d'Almadovar, to retire from the court of London, first delivering in to the Minister a declaration (a copy of which is annexed) reported to my council, by my first Secretary of State; as I found my own respect, and the honour of my crown, demanded it of me. At the same time I caused circular letters to be written to my ambassadors and ministers at other courts, (of which the following is a copy) of the original that was given in to the said council.—The council will take care to expedite the orders and necessary advices, that all my subjects may be informed of my present royal resolution, and that they stop all communication, trade, or commerce, between them and the subjects of the British King.

Given at *Aranjuez*, the 21st of *June*, 1779.

Addressed,

To the governor of the council.

[Here is inserted a Copy of the Manuscript delivered by the Spanish Ambassador to Lord Weymouth; which the reader will find in page 359. Then follows the circular Letter in these words:]

“ BY the annexed copy of the declaration which the Marquis d'Almadovar, the King's ambassador to his Britannic Majesty, gives to the English minister, on his leaving that court, you will see the very weighty motives which have induced his Majesty to take that

that resolution; being at length weary of suffering such great and numerous mortifications from the British cabinet, and English navy, as is shewn in the said declaration. You make what use of this information you judge convenient; and that it may serve for a new testimony of the justice and indispensable necessity which actuates his Majesty on this occasion, it is necessary to add three particulars for your instruction. *First*, That whilst the court of London sought to amuse that of Spain, in seeking delays, and in finally refusing to admit the honourable and equitable proposals which his Majesty made, in quality of mediator, to re-establish peace between France, England, and the American provinces, the British cabinet offered, clandestinely, by means of secret emissaries, condition of like substance with the propositions of his Majesty. *Secondly*, That these offers and conditions not to strange or indifferent persons, but directly and immediately to the minister of the American provinces, residing at Paris. *Thirdly*, That the British minister hath omitted nothing to procure, by many other methods, new enemies to his Majesty; hoping, no doubt, to divide his attention, and the cares of his crown.—So God keep you in his holy protection, &c.”

My above royal decree, having been published in my council, it hath ordered it to be executed. In consequence thereof, I order all, and each of you, in your respective districts and jurisdictions, that as soon as you shall have received my said decree, and shall have seen my resolution contained therein, that you observe, accom-

plish, and execute it, and cause it to be observed, accomplished, and executed, in all and every place, conformable to its tenor; giving orders, and making convenient dispositions, that my said royal determination be known to all my subjects; and that they cease from all communication, trade, and commerce between themselves and the subjects of the British King—*For such is my pleasure.*

And that the same credit be given to the printed copy of this printed Chedule, certified by Don Antonio Martinez Salazar, my Secretary, Register of Resolutions, and oldest Clerk of the Government and Chamber of my Council, as to the original.

Given at Aranjuez, the 22d of June, 1779.

Signed I THE KING.

Signs a little lower,

J. Don Juan Francisco de Laftin, Secretary to the King our Lord, have written this present, by his order.

Also signed,

Don Manuel Ventura Figueras,

Don Manuel de Villafrane,

Don Manuel Dax,

Don Raymundo de Irabien,

Don Blas de Kjnojosa,

Registered. *Don Nicolas Verdugo.*

Second Royal Chedule contains as follows:

I the King.

In spite of the earnest desire that I have always had to procure the inestimable advantages of peace to my faithful and well-beloved subjects, and notwithstanding the extraordinary efforts which I have always made, more especially in
the

the present critical state of affairs in Europe, to obtain that essential object, carrying my patience and moderation to the utmost degree; I saw myself obliged, at last, to order my ambassador, the Marquis of Almadovar, to withdraw from the court of London, and make to the minister there the following declaration. [*Here follows the declaration given to Lord Weymouth.*]

To what has been already mentioned, there must be added, that whilst the court of London sought to lull Spain to sleep, in seeking delays, and refusing to admit the honourable and equitable proposals that I made in quality of mediator, to re-establish peace between France, England, and the American provinces, the British cabinet had clandestinely offered conditions by their secret emissaries, of the same tenor as those which I proposed; and addressed those conditions and offers, not to strange and indifferent persons, but directly and immediately to the minister of the American provinces resident at Paris. The English ministry also have neglected no means to excite new enemies against me, hoping to divide my attentions and the cares of my crown.

In consequence of these solid motives, by my royal decree of the 21st of this month, and by other dispositions communicated to my supreme council of war, I have resolved to order all communication and commerce to cease between my subjects and those of the King of Great Britain—that all the subjects of that Monarch, who are not naturalized in my dominions, or who do not employ themselves in mechanic arts, do quit

my kingdom: but be it understood, that among the above workmen; those only who inhabit the interior of the country, are not to be comprehended; but all who reside in my sea-ports, or dwell on the coasts and frontiers, must equally leave the kingdom.—That from the present moment my subjects do carry on no kind of commerce with those of England, and its dominions. That they do not traffick in their productions, their salt fish, or other fisheries; their manufactures, or other merchandizes; so that this prohibition of commerce be absolute and real; and do extend so as to render vicious and contraband all the effects, productions, salt fish, fisheries, merchandizes, and manufactures of the said dominions. That they do not admit or suffer to enter into any of my ports, any vessel laden with the above named effects; nor permit that such may be brought in by land; being illicit and prohibited in my kingdoms, whence-soever they may come; but they may be seized where-soever found, either in vessels, baggages, shops, warehouses, or houses of merchants or traders, or any particular person whom-soever, whether they be my subjects and vassals, or those of the kingdoms, provinces, and states with whom I am in peace, alliance, and free commerce. Nevertheless, in regard to which, I will that no prejudice be done to the peace, franchises, and liberties, in lawful commerce, which their ships, as well as the produce of their lands, provinces, and conquests, where they may be fabricated, ought to enjoy in my kingdoms, by virtue of subsisting treaties.

I do.

I declare that all merchants who have any salt fish, or other produce of the fisheries of the dominions of England in their possession, must make a declaration of the same, and register them in the space of fifteen days, reckoning from the publication of this my present Chedule, which is fixed for their peremptory term, before such officers as shall be appointed by Don Miguel de Muzquiz, my Superintendant-general of Finances, as well in this court as elsewhere, to the end that notice may be given. And in case that they keep them unregistered beyond the said term of fifteen days, they shall be immediately declared to have fallen under confiscation.

I will also, that a term of two months be allowed for the disposing of the said fish, and no prolongation of that term shall be granted, but after that term all traders shall be obliged to carry them to the Custom House, or, in places where there is no Custom House, to some house of government, where they shall be publicly sold to the highest bidder, in the presence of the officer or officers deputed for that purpose, or, in their absence, in presence of the magistrates of the place, who shall give the produce of the sale to the proprietors, who shall not be allowed to carry back to their shops, or warehouses, any of those prohibited goods, in like manner as has been observed heretofore.

I have given to Miguel de Muzquiz, a particular commission, that in quality of Superintendant-general of my Finances, he shall have the care of the aforesaid dispositions, in the manner that he shall judge most proper to accomplish

an object so important. He shall take cognizance, in the first instance, by himself or his sub-delegates, of all disputes that may arise in consequence of contraband; saving there is an appeal to the Council of Finances in the Hall of Justice, excepting any martial contraventions, respecting arms, ammunition, and other effects relative to war, as are explained by the treaties of peace; the cognizance of any disputes about those belonging to the Council of War, and Martial Judges.

I order, that all the above regulations be observed, kept, and fulfilled, under the pains prescribed by the laws, the pragmatics, and Royal Chedule, passed in former times, from motives of the same nature, comprehending therein all my subjects, and the inhabitants of my kingdoms and lordships, without exception of any person whatsoever, and howsoever privileged. It being my will, that this declaration shall come, as soon as possible, to the knowledge of my subjects, that they may preserve their effects and persons from all insults from the English; for that purpose my Supreme Council of War will make all necessary dispositions, that it be formally published, and duly executed.

Given at *Aranjuez*, the 26th of *June*, 1779.

(Signed) I THE KING.

This present, seen and ratified in full council, hath been this day published by proclamation in the usual places of this court, with the assistance of the Clerk of the Council Chamber, and the Alguazils of the Tribunal, the Staff Officers of Place, the Serjeants, Drummers, Fifers, Kettle Drummers and

and Trumpeters of the Garrison; a company of infantry, and a picquet of horse; as it is verified by the original, remaining under my care, in the Secretary's Office of the Supreme Council of War.

At Madrid, the 28th
of June, 1779.

(Signed)

DON JOSEPH PORTUOSE.

Translation of the Spanish Manifesto, published at Madrid, declaring the Motives which have induced his Catholic Majesty to withdraw his Ambassador, and act hostily against England.

IT would be too long to relate minutely all the grievances which Spain might complain of since the conclusion of the treaty of peace in 1763; for that reason we shall restrain ourselves to the greater ones, and those most recent, lest we should be accused of reviving old injuries already forgotten. By the sixteenth article of the preliminaries of that treaty; England acknowledged the *Bay of Honduras* as making part of the Spanish dominions, and bound itself to cause every fortification that had been erected by its subjects in that part of the world, to be demolished within four months after the ratification of the treaty; without preserving to the court of London any other right than that of being permitted to cut log-wood, without any molestation or hindrance; and for which purpose, its workmen were to be allowed only the houses and barracks essentially necessary

to them. None of these stipulations have been performed by the English: they have introduced themselves more and more into the ancient settlements, beyond the limits allotted them, and have excited a rebellion among the native Indians, providing them with arms, and giving them every succour and assistance under the protection of Great Britain.

Not satisfied with these violences, they have established themselves in many other ports, rivers, and coasts of the Spanish territory in the said *Bay of Honduras*; in which places they could not even alledge the specious pretence of cutting log-wood, but manifestly with a design of usurping foreign dominion, and of smuggling various merchandizes without any discretion.—The names of these places wherein they went are, *El Pincho, Rio Tinto, Rio Matina*, and many others: they have there trained up bodies of militia to arms, and have given the King of England's brevet, or commission, of Captain general of all these settlements or establishments to Jacob Loury; which brevet, or passport, together with many other patents or commissions to subaltern officers, was solemnly read to the whole colony on the 21st of September, 1776, before the troops and people. All these proceedings of the English were discovered by the Spaniards, at a time when the British ministry had declared that those encroachments and settlements had been made without their approbation, or the sanction of their authority.

The English settlers found out artifices and various perfidious means

means to prevail on the chief or leader, to revolt against Spain, and to stile himself King of the Mosquito Indians, and persuaded him to take the title of Captain in Chief of the other Indians, whose leaders have sent commissioners to the Vice-Roy of the Spanish government, acknowledging themselves as vassals of his Catholic Majesty: besides which, the English supplied them with arms, and gave them all kind of assistance to prevent their seeking the protection of Spain, who has an immediate right upon the dominion of those territories. Moreover, though foreigners of all denominations, let their religion be what it will, be well received in all the English settlements of America, the Spaniards only have been refused admittance, they being either imprisoned or driven away.

The better to prove the uniform design England had always harboured of becoming masters of these extensive territories; to lay there the foundation of its settlements; and to augment every day the immense prohibited commerce carried on by its subjects in the interior parts of the Spanish provinces, we need but relate what happened in the year 1775. That a certain physician, famous for his voyage round the world, known by the name of Doctor Irwin, left England, having with him all kinds of tools for agriculture, several artists, and many other succours found by the British ministry, to the end and purpose of making a lasting settlement in the province of *Nacha*, wherein he landed several families, and several more were soon to follow them. With

that intention, the said doctor had brought up and educated in his own house a son of an Indian King, and two Indians of note in these countries. The Spanish *Guarda Costas* were soon apprised of the doctor's embarkation, and the British ministry, instead of giving redress to remonstrances for that breach of the treaty, threatened Spain with a war.

Last year, in the month of November, some Spaniards happened to settle themselves on the river *Saint John*, on the same coast of *Mosquito*, whereupon they built some houses; and when they least expected it, they were attacked by a party of English, and another party of Indians; in that conflict, the captain of the ship was wounded, most of his people were put to prison, and many other violences were offered. While that was transacting, the negociation of peace, then on the carpet, was carried on with the greatest anxiety by his Majesty, for the benefit of England; and he was straining every nerve to make it succeed. No other proof is required to establish the essential difference extant between the proceedings of the court of London, its ministers and subjects, and the generous and magnanimous conduct of his Catholic Majesty.

Wherever they set their feet for the purposes of settlement, the English behave in the same manner: for example, on the coast of *St. Blas*, a province of the *Darien*, they engaged the Indians that inhabit the frontiers of the Spanish settlements, to raise a revolt; and, after giving them all succours, enticed, and drew them on their side,

side, by decorating them with pompous patents and brevets, or commissions of command under the protection of Great Britain. A like commission was granted to one chief of the Indians, named *Bernard*, to whom the governor of Jamaica sent a formal patent or commission, and in which he was stiled captain-general of that coast. That proceeding was also discovered at the beginning of the present year, and complained of the 8th of March to the English ministry, who, pretending to be unacquainted with it, answered it in their usual manner.

Many have been the attempts made by the English, within these few years, to drive into rebellion against Spain, those nations of India, their allies, and friends, who inhabit the lands contiguous to *Louisiana*; one while they regularly provided them with arms; at other times they bribed them with presents, and honoured them with patents and English medals, &c. &c. and finally, instigated them to join the English troops to commit hostilities against the subjects of his Catholic Majesty.

Applications have been regularly made to the court of London, on different occasions, for the redress of various offences of that nature; and though its answers have been made in general terms, such as these: "*We shall take notice of that, and send the necessary orders*;" Spain has not yet seen the alteration which she expected in all reason and justice.

On the contrary, the court of London, under pretence of its war with the American states, and forgetting so well the exact impartiality observed by the Spanish co-

lonies, as to the good reception the English have always met with therein, they have committed, both by land and sea, the most grievous insults: having even threatened with destruction a frigate of war in the very capital town of New Orleans.

Soon after this, and in the months of June and July of the year 1778, the English prompted the *Characas*, *Miraquies* and *Micathas* Indians, to raise a rebellion, paying to each Indian the value of a skin of venison a day, and inducing them to fall upon, with the natural and brutal cruelty of those barbarous nations, and destroy the Spanish settlements; notwithstanding the treaty of peace then in force between Spain and England, and the pacific disposition of the King, and his impartial and upright conduct in regard to the disturbances of America, and the hostilities committed against France. To the purpose aforesaid, the Indians were to have repaired to, and assembled in a place called the *Natches*, with a body of English well armed; but a happy circumstance prevented this barbarous project from taking place: two of those nations, convinced, without doubt, of the injustice they were going to commit, every way repugnant to the rights of men, and to the good treatment they had always received from the Spaniards, they withdrew, and thus discountenanced the rest.

Some inhabitants of the Spanish dominions were carried away, others were offered all sort of violence, and many compelled to carry arms and war against the Americans: particularly in one, among many other instances of our sub-

[A a]

jects,

jefts, a young man, named *Livis*, the fon of a captain of one of our Spanish colonies.

By the laft news we have received the original letters of the Englifh Commander Hamilton, in which he threatened to enter the Spanish territories, as has been related in the Gazette of Madrid of the 20th of July, at the article of *la Havanna*: it appeared moreover, by thofe letters, that the Britifh government had given orders to build many fortrefles, and in particular a folid and permanent one at the mouth of the *Missifipi*, near the lake of Iberville; which proceeding alone would be fufficient to bring to light the defigns of the court of London againft the Spanish dominions, fince the faid fortrefs could by no means moleft the Americans, but would be highly prejudicial to the Spanifh nation.

To the above purpofe we muft not omit, that in the month of May in the year 1778, *Don Francisco Efcarano*, the Spanifh *Chargé des Affaires*, came to London to complain, that the Englifh had infligated the Indians called *Pafeagulas*, whose habitations are contiguous to *Louifiana*, to fhake off the obedience they owe to the King; by giving them commiffions of captains in the fervice of his Britannic Majefty, and decorating them with orders and medals. We fhould never have done, if we would relate, with their circumftances, thefe, and many more infringements of the treaties, violences, and ufurpations executed thefe late years by the Englifh government againft the Spanifh dominions.

2. Spain gave, in regard to prizes, orders fimilar to thofe of France; and it caufed them to be put in execution with fo much rigour and exactnefs, that feveral American privateers, and among others the famous *Cunningham*, exasperated againft Spain, retaliated, by uſing the Spaniards very ill, and making upon them reprizals, which have not as yet been delivered back, though often asked for.

3. Neither ought motives of jealouſy or the thirft of difcord to have prevailed upon the Englifh fo much, as to make them loſe any ſenſe of juſtice, gratitude, or reſpect in regard to Spain, confidering that this laſt could carry on but little or no trade with the Englifh Americans, having already enough of that it carries on with its own poſſeſſions of America; and being amply provided with every neceſſary by the ſame. Nevertheless, the court of London, with an intention of keeping at hand a ſpecious pretence for a rupture, whenever its projects ſhould be in maturity, affected a great uneaſineſs on account of the mercantile correſpondence carried on between ſome merchants of *Bilboa* and others of the Englifh colonies, though that correſpondence had begun ſeveral years before their rupture with the mother country. The Englifh miniſtry diſcovered the ſame uneaſineſs for a like mercantile correſpondence carried on by ſome French merchants of *Louifiana* with the Americans; and pretended to call the Spanifh government to an account for that contravention to its own laws in that part of the world: at the ſame period, wherein the ſubjects

of

of England, called the Royalists, were found in the same contravention on the Spanish coasts of *Mississipi* and *Louisiana*, making a traffic of smuggled goods: many of them were taken up, and great complaints have been made for the same. The English commanders of those parts pretended proudly, that the inhabitants persecuted by them should not be allowed to take refuge at *Louisiana*; if they should fly there for it, while the royalists were welcome there; and being under no apprehensions either for their lives or properties; for which generous dealing several of them returned thanks to the Spanish government by word of mouth, and in writing. The Spanish government did not confine itself to those tokens of humanity. Having heard of a great scarcity of flour prevailing at *Penzacola*, it spontaneously sent a good quantity of it into that place;—threats, violences, and the hostile proceedings laid down in the foregoing articles are the only thanks the ministry and the English nation gave for the same.

4. For fear we should be detained in the enumeration of the events anterior to these late times, we shall only say, that the insults offered by the English navy to the Spanish navigation and trade, from the year 1776 till the beginning of the present year 1779, were already 86 in number, including prizes taken by unjust practices, piracy, and robberies of various effects out of the vessels; attacks made with gun-firing, and other incredible violences. Since the said month of March, and notwithstanding the memorial presented by the ambassador, Mar-

quis de Almadovar, on the 14th of the same, in which he complained of the principal grievances, and revived the Memorials that had preceded, three Spanish ships were taken by the English, on the 12th, 19th, and 26th of April, viz. the *Nuestra fra de la Concepcion*, the *la Virgen de Gracia*, and the *las Almas*: which proceeding, together with the other insults, of which a detail was sent to the same ambassador, in order to be laid before the English ministry, were sufficient motives for the ambassador to assert, in his final declaration presented to the ministry on the 16th of June, that the grievances of the late years did not fall much short of a hundred.

5. In the two last years, and till the beginning of March of the present year, the English navy has insulted at 12 different times, in the European and American seas, the ships of his Catholic Majesty, among which were packets, and other small vessels, that had not a competent force to resist. It makes one blush to describe with what indecency and ignominy the King's flag was treated by the English officers in those and other similar cases. We shall only relate the transaction of the 31st of October of the last year, when an officer having been dispatched by two English frigates to reconnoitre the Spanish sloop, named *Nuestra Señora de la Esclavitud*, between the Isles of *la Mona* and *la Sanna*; he obliged it to strike his Majesty's flag, and then, taking it, he wiped the sweat off his face with its coat of arms, to shew a greater contempt for it. This singular officer, with his companions, plundered

dered the ship, and stript the seamen of sundry things essentially necessary to their use.

6. The English nation entered the Spanish territories eleven times within a very few years past. Among those attempts, one deserves a particular notice; viz. what was performed on the 31st of April, 1777, by the long-boats of three English frigates, then laying in the bay of Gibraltar, which fired at the King's cutter, and at the guard-house, that was on the bridge *Mayorga*, and carried away the crew and the goods of a bark which had been taken by the said cutter on suspicion of smuggling tobacco and money. After they had possessed themselves of the whole, they retired, displaying affected civilities, and taking off their hats out of derision.

7. The complaints of the court of Spain have been as many as the insults offered; memorials having been repeatedly presented from time to time in London and in Madrid; so that they might be said to have been innumerable. Nevertheless, the King of England told his parliament precisely, that many of them never came to his knowledge, adding moreover, that he was fully convinced, he had never given occasion for the unjust proceedings of Spain. We now say it over again, complaints have been so repeatedly made, that on the 5th of February, 1778, *Don Francisco Escarano* having exposed and shewn some of them in writing to Lord *Weymouth*, did express plainly how tired he was of presenting so many, by saying, "That it appeared as if all the captains of ships of his British Majesty had agreed about the

"mode of bad behaviour to those of the King and of the Spanish nation; since it was known by a constant experience, that the English ships always began by firing their guns at ours with bullets; then their officers came on board to register them; put the seamen in irons, or confined them under the hatches of the ship: did not in the least scruple to carry away what goods they had a fancy to, and when they parted from us, bid us fare well by another cannonading with small shot: that the Spanish ships, and especially the packet-boats, which are provided with guns, might have repelled those insults by force, but that they never did it, on account of the remarkable strict orders they had from the Spanish government, which was anxious to live in the best harmony with the English nation; and that finally, by comparing the excessive moderation of Spain with the frequent affronts offered by the English navy, his lordship will be able to judge, whether they ought not to have been paid attention to; and whether they did not call aloud for redress."

Those were the expressions made use of by Spain, in February 1778. Let us now see what that court said on the 14th of March of the present year, by the channel of the *Marquis d'Almadovar*, in a memorial written for that purpose to the *Viscount Weymouth*.

The Spanish ambassador, after referring to two cases that had been answered by the English minister, proceeds in this manner; "The King could not help to remark,

“ that, from all the complaints
 “ made to the English ministry by
 “ his orders, for these two years,
 “ these two cases only met with a
 “ clear instructive answer. His
 “ Majesty took into consideration
 “ the motives of the answer of
 “ the 13th of January, and ex-
 “ cuses the delay alledged, as to
 “ the transaction that happened
 “ in America;” but he does not
 see, why any change in the desti-
 nation of the ships, the death of
 the commanders, or the recall of the
 admirals, to whom the orders were
 directed, should have prevented
 the verification longed after; such
 were, however, the motives or pre-
 tensions alledged. If the captains
 were dead, or if the ships had
 changed their station, had even
 those changes and alterations been
 universal, and had they happened
 precisely at the time when the ve-
 rification should have taken place,
 the command of the places near
 whom the transactions happened,
 were, nevertheless, in the same
 hands, and there it was they should
 have been enquired into. Suppose
 the officers had been changed, the
 exercise of their function was not
 interrupted, and the tribunals of
 the districts, who ought to have
 known of matters of that sort, were
 still subsisting. Since that time,
 some of the captains, who com-
 manded the ships that either took
 or treated ill the Spanish vessels,
 came over to England, and they
 might have been interrogated upon
 many articles.

The Marquis of Almadovar con-
 tinued to make observations upon
 particular cases, and concluded
 his memorial in this manner: “ In
 “ a word, had even every circum-
 “ stance concurred to hinder or

“ delay the instruction which the
 “ British ministry desired, pre-
 “ vious to its giving redress to
 “ my court, the King, my master,
 “ thought at least, that orders sent
 “ by his British Majesty to his
 “ officers should have stopp’d the
 “ course of those vexations; so
 “ far from it, advice is conti-
 “ nually received at Madrid of
 “ recent injuries, there having
 “ been sent to me from thence
 “ the relation of some of them,
 “ with injunction to communicate
 “ them to your lordship. In com-
 “ pliance, therefore, with those
 “ orders, I have the honour to
 “ include the relation therunto
 “ annexed, containing the most
 “ notorious facts, omitting others,
 “ for fear of multiplying com-
 “ plaints, though they are equal-
 “ ly well founded on truth. Your
 “ lordship will know from this the
 “ importance of those complaints,
 “ and the necessity of accelerat-
 “ ing, as much as possible, the
 “ satisfaction which the King my
 “ master flatters himself he shall
 “ obtain from the justice and equi-
 “ ty of his British Majesty.”

This memorial, given in the
 month of March, produced nothing
 but fine promises on the part of
 the English ministry, without pre-
 venting the making prizes and
 committing other insults in the
 months of April and May follow-
 ing, which was hinted at before
 in the fourth note. We may rea-
 sonably question, whether the
 English ministry ever took the
 trouble to read the notes or enume-
 ration of the grievances; and if
 not, the reason is obvious, why his
 Britannic Majesty had never been
 informed of them, as he was pleas-
 ed to announce to his parliament.

Spain was more fortunate with the English government, because at least this last never denied facts, but always made good offers, though such as never were productive of a compleat redress, or even prevented the usual vexations. All the European powers know very well the practices of the English navy in its depredations; what country has not experienced them either in the present, or the late war against France and England: but they did not know, nor could they have imagined, that the captain of the English frigate or sloop of war, *the Zephir*, commanded by *Thomas Haffb*, after taking by unjust means the Spanish ship, *La Trinidad*, going from Bilboa to Cadiz, towards the end of 1777, loaded with leather, nails, iron, and other goods, should carry her into *Tangiers*, and there try to exchange her for an American brigantine (which had been taken by a corsair of *Morocco*) leaving the captain, pilot, and all the mariners for slaves. Happily, however, the Moors did not accept of that proposal, and the ship was conducted to the Bay of Gibraltar; and there being no kind of pretence to declare her a lawful prize, they abandoned her, after having plundered a great deal of her cargo; the ship, however, suffered so much in the action when taken, that having met with a gale of wind near Gibraltar, she could not hold it out, but was shipwrecked on the coasts. No faith would be given to a fact of that nature, if the truth of it was not so well established; and nobody could ever imagine, that a nation so learned and improved as the English are,

should bring up and employ sea-officers possessing such principles.

9. The injustice of the sentences pronounced by the English judges of the Admiralty, and their extravagant conduct, may be ascertained by the two following cases: the English cutter, the *Lively*, commanded by Joseph Smith, took the Spanish ship, the *St. Nicholas*, and *St. Celmo*, (the property of Don Manuel del Cerro Rubio, an inhabitant of the neighbourhood of *La Carugna*) bound from that port to the Spanish isles. The English captain carried her into the island of *Anguila*, where it was declared she was not a legal prize; and having been released, the English governor gave her a passport to continue her voyage unmolested. That precaution, however, did not avail to her; for, at her going out of port, another English sloop of war took her, and carried her into *St. Christopher's*, to the port of *Basseterre*, in which place she was sentenced to be a legal prize. The Spanish packet-boat, the *St. Pedro*, commander, Captain *Francisco Xavier Garcia*, had the same lot since, having been taken on the 8th of May, 1778, by the English captain *James Dunnovan*, and carried into the same isle of *Anguila*, she was there declared an illegal prize, but at her departure, another English cruizer, Captain *Joseph Armet*, which happened to be in the same port, retook her, and carried her into *St. Christopher*, where she was sentenced a legal prize, as the former had been.

10. No other power has experienced, like Spain, the aggressions and usurpations of the English government, made in the time of the

the most profound peace, and without any previous declaration of war. There is hardly one of those English territories, which formerly belonged to Spain, that has not been taken by surprize, in time of peace; and all the seas may be witnesses that when the Spanish ships were beaten or taken, there was no reason to believe they should be attacked: it has been a practice with no other cabinet; but the English, to conclude a treaty with Spain, and immediately after to commit the greatest hostilities against that same treaty. After such a conduct, we leave it to the consideration of the impartial world to decide, if the King was wrong to augment his naval forces, and to frustrate, by anticipation, the designs of his enemies and offenders.

11. No motives whatsoever should have hindered England to give redress to Spain, to have prevented new insults, and return it the gratitude it deserves; since, in spite of the projects and public threats of several members of the English parliament, in the session of the months of December, 1777, and January and February, 1778, (who proposed to settle the disputes with the Americans, in order to make war against the House of Bourbon) the Catholic King never would make any treaty with the colonies, for fear of giving to the court of London the least pretence for complaints. We do not by this mean to say, that the French ministry had not the strongest reasons to fear new enemies, and consequently to prevent the hostile designs of the British cabinet.

12. The French court behaved with so much candour and sincerity

in the treaty made with the Americans, (of which, however, the Catholic King knew nothing then) that the same court declared, by its ambassador in London, that Spain had no hand at all in it. Notwithstanding this, by orders dispatched to *Don Francisco Escarano*, the Spanish *Chargé des Affaires* in London, on the 24th of March, he had instructions, among other things, to declare to the English ministry, that though his Catholic Majesty had taken no share in what had happened between France and America, and was still resolved to preserve the peace, this was to be understood, "As long as his Majesty could make it consistent with the dignity of his crown, with the preservation of his rights, and the protection he owes to his subjects; and that, therefore, the conduct of Spain should be guided by that of England." This was the declaration made by *Escarano* to the Viscount Weymouth, in a private audience he had on the 4th of April following, and he acquainted his court with it, on the 8th of the same month.

13. It has been the manifest leading project of England, to bring about a re-union of the colonies with the crown, in order to arm them against the House of Bourbon, or to lead that same House into an error, by means of treacherous negotiations and treaties, in order to take revenge on the colonies, after having made them enemies to France. The beginning, progress, and conclusion of the negotiations, related in this manifesto, establish evidently the certainty of that project, and the facts contained in the subsequent

quent notes, will prove it beyond a doubt.

14. The King of Spain could not observe a greater circumspection than he did, to avoid engaging himself in an unfruitful negotiation, or getting entangled in its consequences; he used the same expressions with the court of London that he had done with France, sending orders, on the 19th of April, to the *Chargé des Affaires*, Don *Franisco Escarano*, directing him to require from the British ministry, "a manifest declaration from them, expressing their real long-
ing after a negotiation with France, by the mediation of his Majesty, and setting forth the chief articles whereupon to ground it."

Those and other like precautions became necessary with a ministry that always affects to speak mysteriously, ambiguously, and with artful restriction, and who delivered their thoughts to the Spanish ambassadors and public ministers in a mode very different from that made use of in the public dispatches of business directed by that same ministry to the English ambassador in Madrid. The Spanish cabinet, which does not adopt that political method of delivery, had the open-heartedness to warn the said ministry, to set it aside during the course of the negotiation, without insisting on the candour and sincerity the same requires.

15. Orders were sent to *Escarano*, on the 23d and 25th of May, and on the 1st of June last year, directing him to keep a profound silence upon the negotiation that had been agitated; and to declare again to the court of London, that his catholic Majesty was always in the

same pacific disposition, and would continue so, as long as the conduct of the English nation should not compel him to alter his sentiments. England cannot complain, that Spain has not repeatedly declared this same resolution of the King.

16. It is evident from the contents of the above notes, that hostilities like the preceding, and even greater ones, were committed by England against the Spanish territories, and the Spanish flag, under the mask of friendship, and in the midst of the most cordial protestations, and assurances of peace.

17. It would not appear strange, if clandestine orders, similar to those given to take possession of the French settlements in the East Indies, had been sent, in the beginning of this year, for to fall upon the Philippine Islands, and if the emissaries, sent soon after through *Alexandria* and *Suez*, had been intrusted with the conduct of that enterprise; at least, those are the opinions of the most judicious men, and also of those who are the best acquainted with the transactions of the court of London. Time will bring those mysteries and enigmas to light; and the world will be better able to comprehend, how the generosity of the King of Spain has been correspondent with that of the English cabinet; at a time, when his Catholic Majesty spared no pains to obtain an honourable peace, and free that nation from great calamities and misfortunes.

18. The Catholic King continued his mediation to his Most Christian Majesty, with an intent of making a peace, not only because his religious and pious heart, and the love he professes to his subjects,

subjects, and to the human race in general, inspired him with those sentiments; but moreover, because the court of London continued to insinuate its desire of coming to an accommodation with France. And indeed hardly was the Count of *Almadovar* arrived in London, but he acquainted his own court, on the 14th of September, 1778, that in a long conference he lately had with the Viscount *Weymouth*, that minister had concluded his discourse with those terms; viz. "That the King, his master, knew the amiable dispositions of his Catholic Majesty; that he was indebted to him for his demonstrations of friendship; and most sincerely desired to terminate the present war by his mediations, by a method consistent with the honour of the crown of Great Britain, and by which, at the same time, an equal regard should be paid to France." In consideration of the usual tenderness and honour due to the crown, Lord *Weymouth* recommended to the Marquis d'*Almadovar*, not to use in his dispatches (as he, *Weymouth*, would have the same care in his own) these words "to ask the mediation," but "to request and to wish that his Catholic Majesty should interpose his mediation." The Lord Grantham spoke substantially the same language in Madrid; and his Catholic Majesty, having taken it into his consideration, ordered a note or memorial to be delivered to that ambassador, on the 28th of the said month of September, and a copy of the same was dispatched to the Marquis of *Almadovar*, with direction to communicate it to the

English government. We thought it indispensibly necessary to write out the answer contained in the same memorial; because it will throw light upon, and serve for the right understanding of the said negotiation; and which was as follows:

"The King considering what has been written by his ambassador, the Marquis of *Almadovar*, and out of love for mankind; and, moreover, to continue upon good and amicable terms with both the Kings of France and Great Britain; and also lest he might be reproached with refusing to promote, as far as lays in his power, the tranquillity of Europe, he has resolved to notify to each court, that if they sincerely wish to enter into a plan of reconciliation, by the mediation of his Majesty, without prejudice to the honour of either crown, but with an anticipated anxiety for the dignity of both; the most regular and decent mode of proceeding is, that each court should deliver into the King's hand, without delay, and at the same time, the conditions and the articles they intend to obtain or to grant by the treaty, that his Majesty may communicate to the one court the propositions of the other, to the end that they may be modified, discussed, or refused. That, after a due examination of the whole, his Majesty shall propose his own plan of pacification to terminate the difference. That the negotiation must stipulate the method of concerting with the Americans; without which the wished-for peace cannot be attained:

" attained: and finally, that at
 " one and the same time, the
 " conditions relative to the pri-
 " vate interest of England and
 " Spain shall likewise be discus-
 " sed and settled; that the King
 " would be sorry if this method
 " was not adopted, or if the ne-
 " gociation was not conducted with
 " sincerity; since, in spite of the
 " wishes and pacific dispositions of
 " his Majesty, he foresees that the
 " circumstances of the present war
 " must oblige him to become a
 " party, the necessity of having
 " his flag respected, and of re-
 " pelling the insults which are
 " daily offered to his subjects,
 " having occasioned expensive ar-
 " maments, and immense losses."

The conclusion of the foregoing
 answer caused much uneasiness to
 the court of London, which, ne-
 vertheless, sent a frigate that en-
 tered the port of *Corunna* on the
 10th of November, with dispatches
 for Lord *Grantham*, with the an-
 swer of the same court. That an-
 swer was delivered on the 14th of
 the said month of November; and
 the contents of it were, that the
 court of London accepted with plea-
 sure the mediation of his Catholic
 Majesty to settle the differences
 that existed between England and
 France, provided the latter would
 withdraw the succours and aid it
 gave to the colonies. As to the ar-
 ticles relative to the reciprocal in-
 terest of Great Britain and Spain,
 the reply was, that his British Ma-
 jesty was ready at all times, and
 wished earnestly to enter into that
 discussion; and to settle them so
 as to establish reciprocal advantages
 to both empires. The Catholic
 King, in compliance with the ten-
 der he had made to both courts,

communicated to each of them on
 the 20th of November the preten-
 sions, propositions, and overtures
 made respectively: persuading both
 of them, with various reasonings,
 to seek means and temperaments
 productive of a sincere and honour-
 able reconciliation. At the same
 time a letter was sent to the Mar-
 quis of *Almadovar*, setting forth
 what follows; viz. " Your Ex-
 cellency is authorised to settle
 " the matters relative to our own
 " interest, on which important
 " business the utmost efforts of
 " your zeal must be employed:
 " since the King, who wishes sin-
 " cerely to preserve the peace,
 " will receive the greatest plea-
 " sure, if he sees those differences
 " satisfactorily settled: to the same
 " purpose let your Excellency re-
 " mind the English ministry of
 " the generosity of Spain, for its
 " impartial proceedings in cir-
 " cumstances so critical as the pre-
 " sent ones. But let your Ex-
 " cellency represent, how badly
 " we have been answered, and
 " how ill we are constantly treat-
 " ed by the English navy, as may
 " be ascertained from the insults
 " that our navigators receive al-
 " most daily in different parts of
 " the ocean, and in the very ports
 " and places on the coasts of this
 " peninsula. That court will un-
 " derstand that the greatest pro-
 " testations of friendship have no
 " force to persuade, while repeat-
 " ed insults are never reprov'd or
 " chastised, especially after we
 " have been for years exposing to
 " them our grievances in the most
 " cordial open manner, and with
 " the most cautious expressions.

" Your Excellency is not igno-
 " rant of what has been regulated

" by

“ perament his Majesty has found, in order to accede to it; and in writing, it appears, that the British Ministry persist in their former ideas, expressing only their desire of a peace by general protestations.”

Subsequently to the foregoing reflections, others were set down in the said dispatches to the Marquis of Almadovar, explaining some thoughts that occurred to his Majesty, with a desire of falling into a prudent and honourable method that might facilitate the pacification. The substance of those ideas was confined to know, whether it might be expected that the English Cabinet would consent to a long continued truce between the belligerent powers and the colonies, that might be prudently combined, to preserve the dignity of each of them, and consolidated with various precautions, to remove any suspicion of a new rupture; for which purpose it should be referred to a subsequent negotiation, or to a Congress, to be held in an impartial place, under the mediation of the King, for the stipulating or concluding the treaties that might take place between those powers.

20. From the 20th January of this year, when an extraordinary dispatch was forwarded to London, with the ideas or thoughts of the King, as recited in the above number, the English Cabinet deferred giving any answer until the 16th March. At the end of so long a delay, that Court came to an explication in a dispatch sent to Lord Grantham, which was received in Madrid the 28th of the same month. It amounted merely to advert at large on the reflec-

tions contained in that of the Court of Madrid of the 20th January; but it deserves much notice what sort of satisfaction Lord Viscount Weymouth gave, relative to the difference observed between his manner of explaining himself by word of mouth and by writing. *My language* (these are the words of his answer) *with the Marquis d'Almadovar, flowing from my ardent desire for peace, went too far, and were wanting in exactness, if they imported a disposition to exchange the Royal Honour, and manifest rights for a decent exterior, and plausible temperature.* If, with such a finesse, Ministers recede from their words, and satisfy those with whom they treat, what faith or security can be put in the explanations of a Court made solemnly to the Ambassador of a powerful King?

Be it as it may: after all the observations contained in the fore-mentioned English dispatch of the 16th March, it concluded with an appearance which flattered the King with an hope, that at least a pacification would be effected. *Let France propose* (said the English Cabinet) *her complaints, pretensions, or points of any kind whatever, and an adequate answer will be given; or let there be a truce for a certain time between Great Britain and France, during which period the pretensions of the one and the other may be adjusted through the good offices of his Catholic Majesty.*

Let the Colonies (added the English Cabinet) *propose their complaints, and the conditions for their security and caution, by which may be re-established the continuance and authority of a lawful government: we shall then see if we can come to a direct and immediate*

“ tions, upon which I refer to the
 “ instructions sent to your Excel-
 “ lency. A sufficient power has
 “ already been invested in your
 “ Excellency, and a greater one
 “ will be given, if necessary, the
 “ more effectually to consolidate
 “ the friendship of the two courts;
 “ which important point, and
 “ that of a general peace, are the
 “ two objects, which the magna-
 “ nimonious heart of our Sovereign
 “ greatly longs after. I suppose,
 “ however, that your Excellency
 “ will not forget, that we can do
 “ nothing whatever against the in-
 “ terest of France, whose friend-
 “ ship must always be one of our
 “ greatest concerns.”

In consequence of the facts and transactions already enumerated, the world will be convinced of the circumspection, sincerity, and attention, with which the Catholic King has endeavoured to conclude a peace solidly cemented, and to obtain from England redress for an infinite number of insults. The court of London, moreover, affects now to compel his Majesty to take up arms, (a part he has already taken) by renewing the insults, without any appearance of offering redress.

19. The propositions of England, in answer to the dispatches of his Catholic Majesty of the 20th of November, 1778, were not received in Madrid before the 13th of January, 1779, and were the result of a conference held the 28th of December last, between the Marquis of *Almadovar* and the Viscount *Weymouth*.

What has been the conduct of that minister in this occurrence, may be collected from the following expressions contained in the

dispatches, designed as an answer, and directed to the Marquis of *Almadovar*, on the 20th of the same month of January: “ I have read
 “ to the King (those are the very
 “ words) the whole dispatches of
 “ your Excellency, as well as the
 “ paper delivered to him by Lord
 “ *Weymouth*; I have at the same
 “ time informed his Majesty of the
 “ remarks and observations that
 “ Lord *Grantham* has communi-
 “ cated to me, relative to the same
 “ object. This ambassador has
 “ put in my hands another paper
 “ similar to that which your Mi-
 “ nister of State has forwarded by
 “ your Excellency; nevertheless, I
 “ must say that, neither in the ex-
 “ plications of Lord *Grantham*,
 “ nor in the dispatches that he re-
 “ ceived from his court, are found
 “ the substantial and specific ex-
 “ pressions, which have been made
 “ use of with your Excellency, in
 “ order to induce the King to pro-
 “ pose a method of an accommo-
 “ dation.

“ Notwithstanding that, I shall
 “ tell to your Excellency with
 “ freedom and exactness, the re-
 “ flections made by the King, the
 “ resolution he has taken, and the
 “ conduct your Excellency should
 “ keep to cause it to be under-
 “ stood, and get an answer, and
 “ the present dispatches will serve
 “ to your Excellency as instruc-
 “ tions.

“ His Majesty has already re-
 “ marked, that the court of Lon-
 “ don expresses itself differently by
 “ word of mouth to what it does
 “ in writing; that is to say, by
 “ word of mouth, it appears, as if
 “ that court wished for nothing
 “ more eagerly, than to hear the
 “ convenient and honourable tem-

“ perament

"perament his Majesty has found, in order to accede to it; and in writing, it appears, that the British Ministry persist in their former ideas, expressing only their desire of a peace by general protestations."

Subsequently to the foregoing reflections, others were set down in the said dispatches to the Marquis of Almadovar, explaining some thoughts that occurred to his Majesty, with a desire of falling into a prudent and honourable method that might facilitate the pacification. The substance of those ideas was confined to know, whether it might be expected that the English Cabinet would consent to a long continued truce between the belligerent powers and the colonies, that might be prudently combined, to preserve the dignity of each of them, and consolidated with various precautions, to remove any suspicion of a new rupture; for which purpose it should be referred to a subsequent negotiation, or to a Congress, to be held in an impartial place, under the mediation of the King, for the stipulating or concluding the treaties that might take place between those powers.

20. From the 20th January of this year, when an extraordinary dispatch was forwarded to London, with the ideas or thoughts of the King, as recited in the above number, the English Cabinet deferred giving any answer until the 16th March. At the end of so long a delay, that Court came to an explication in a dispatch sent to Lord Grantham; which was received in Madrid the 28th of the same month. It amounted merely to advert at large on the reflec-

tions contained in that of the Court of Madrid of the 20th January; but it deserves much notice what sort of satisfaction Lord Viscount Weymouth gave, relative to the difference observed between his manner of explaining himself by word of mouth and by writing. *My language* (these are the words of his answer) *with the Marquis d'Almadovar, flowing from my ardent desire for peace, went too far, and were wanting in exactness, if they imported a disposition to exchange the Royal Honour, and manifest rights for a decent exterior, and plausible temperance.* If, with such a fineness, Ministers recede from their words, and satisfy those with whom they treat, what faith or security can be put in the explanations of a Court made solemnly to the Ambassador of a powerful King?

Be it as it may: after all the observations contained in the fore-mentioned English dispatch of the 16th March, it concluded with an appearance which flattered the King with an hope, that at least a pacification would be effected. *Let France propose* (said the English Cabinet) *her complaints, pretensions, or points of any kind, whatsoever, and an adequate answer will be given; or let there be a truce for a certain time between Great Britain and France, during which period the pretensions of the one and the other may be adjusted through the good offices of his Catholic Majesty.*

Let the Colonies (added the English Cabinet) *propose their complaints, and the conditions for their security and caution, by which may be re-established the continuance and authority of a lawful government: we shall then see if we can come to a direct and immediate*

“ tions, upon which I refer to the
 “ instructions sent to your Excel-
 “ lency. A sufficient power has
 “ already been invested in your
 “ Excellency, and a greater one
 “ will be given, if necessary, the
 “ more effectually to consolidate
 “ the friendship of the two courts;
 “ which important point, and
 “ that of a general peace, are the
 “ two objects, which the magna-
 “ nimous heart of our Sovereign
 “ greatly longs after. I suppose,
 “ however, that your Excellency
 “ will not forget, that we can do
 “ nothing whatever against the in-
 “ terest of France, whose friend-
 “ ship must always be one of our
 “ greatest concerns.”

In consequence of the facts and transactions already enumerated, the world will be convinced of the circumspection, sincerity, and attention, with which the Catholic King has endeavoured to conclude a peace solidly cemented, and to obtain from England redress for an infinite number of insults. The court of London, moreover, affects now to compel his Majesty to take up arms, (a part he has already taken) by renewing the insults, without any appearance of offering redress.

19. The propositions of England, in answer to the dispatches of his Catholic Majesty of the 20th of November, 1778, were not received in Madrid before the 13th of January, 1779, and were the result of a conference held the 28th of December last, between the Marquis of *Almadozar* and the Viscount *Weymouth*.

What has been the conduct of that minister in this occurrence, may be collected from the following expressions contained in the

dispatches, designed as an answer, and directed to the Marquis of *Almadozar*, on the 20th of the same month of January: “ I have read
 “ to the King (those are the very
 “ words) the whole dispatches of
 “ your Excellency, as well as the
 “ paper delivered to him by Lord
 “ *Weymouth*; I have at the same
 “ time informed his Majesty of the
 “ remarks and observations that
 “ Lord *Grantam* has communi-
 “ cated to me, relative to the same
 “ object. This ambassador has
 “ put in my hands another paper
 “ similar to that which your Mi-
 “ nister of State has forwarded by
 “ your Excellency; nevertheless, I
 “ must say that, neither in the ex-
 “ plications of Lord *Grantam*,
 “ nor in the dispatches that he re-
 “ ceived from his court, are found
 “ the substantial and specific ex-
 “ pressions, which have been made
 “ use of with your Excellency, in
 “ order to induce the King to pro-
 “ pose a method of an accommo-
 “ dation.

“ Notwithstanding that, I shall
 “ tell to your Excellency with
 “ freedom and exactness, the re-
 “ flections made by the King, the
 “ resolution he has taken, and the
 “ conduct your Excellency should
 “ keep to cause it to be under-
 “ stood, and get an answer, and
 “ the present dispatches will serve
 “ to your Excellency as instruc-
 “ tions.

“ His Majesty has already re-
 “ marked, that the court of Lon-
 “ don expresses itself differently by
 “ word of mouth to what it does
 “ in writing; that is to say, by
 “ word of mouth, it appears, as if
 “ that court wished for nothing
 “ more eagerly, than to hear the
 “ convenient and honourable tem-

“ perament

“ any thing to impede and put a
“ stop to the calamities of war,
“ has commanded that the fol-
“ lowing plan be proposed to the
“ two Courts, which on his part
“ is the ultimatum of his nego-
“ ciation.

“ That with a view that this
“ suspension of hostilities may re-
“ establish reciprocal security and
“ good faith between the two
“ Crowns, there shall be a gene-
“ ral disarming, within one
“ month, in all the European
“ seas, within four, in those of
“ America, and within eight, or
“ one year, in those remote parts
“ of Africa and Asia. That in
“ the space of one month, a place
“ shall be fixed upon, in which
“ the Plenipotentiaries of the two
“ Courts shall meet to treat on a
“ definitive adjustment of peace,
“ regulate the respective restitu-
“ tions or compensations neces-
“ sary, in consequence of the
“ reprisals that have been made,
“ without any declaration of war,
“ and to settle such matters of
“ complaint or pretension, as the
“ one Crown may have against
“ the other: to the accomplish-
“ ment of which end, the King
“ will continue his mediation,
“ and does now, for the holding
“ of this Congress, make an offer
“ of the city of Madrid. That
“ a like suspension of hostilities
“ shall be separately granted by
“ the King of Great Britain to the
“ American Colonies, through
“ the intercession and mediation
“ of his Catholic Majesty, to
“ whom the said Potentate shall
“ promise the observance thereof,
“ and with the condition that it
“ shall not be broke, without

“ giving to his Majesty an antici-
“ pated notice of one year, that
“ he may communicate it to the
“ said American provinces; and
“ that there be established a reci-
“ procal disarming the same as
“ with France, in the same times
“ and places, regulating the li-
“ mits that shall not be passed by
“ the one or the other party, with
“ respect to the places they may
“ respectively occupy at the time
“ of ratifying this adjustment.

“ That for settling these parti-
“ culars, and others relative to
“ the firmness of the said suspen-
“ sion, and to the effects it may
“ produce while it subsists, there
“ shall come to Madrid one or
“ more Commissaries or Agents
“ of the Colonies, and his Britan-
“ nic Majesty will send his under
“ the like mediation of the King
“ (if they should be in need of it)
“ to accord or agree in the fore-
“ going, and that in the mean
“ time the Colonies shall be treat-
“ ed as independent in acting.

“ Finally, if it be desired by
“ all or any of the belligerent
“ powers, or by the aforesaid Co-
“ lonies, the forementioned pow-
“ ers shall, jointly with Spain,
“ guarantee the treaties or agree-
“ ments which shall be made:—
“ the Catholic King now makes
“ an offer of his guarantee to the
“ said preliminaries.”

Whoever compares these articles
with the preceding openings made
by the Court of London, will de-
cide, if there can be imagined
proposals more moderate, or more
analogous to the system laid down
by the British Cabinet.—Perhaps
his Catholic Majesty has rather
gone too far in the moderation to

immediate agreement; or if they also prefer the method above-mentioned, let there be likewise a truce made with North America, that is, a real truce, and effective suspension of hostilities; during which, the liberty and effects of all sorts and classes of persons may be re-established and secured, and all violence suspended, on one side and the other, against the respective individuals, and the estates or effects they possess. In these truces, the French may treat of their own peculiar matters, without giving the umbrage, which would be inevitable, if they mixed in the negotiation their own particular advantages with the supposed interests of those whom France affects to call her allies: and his Britannic Majesty may establish the government of his own dominions, without the disagreeable circumstance of receiving the conditions relative thereto from the hands of a declared enemy.

21. It appears by the opening made by the Court of London, in the dispatch mentioned in the preceding note, for the purpose of establishing a truce between France and the Colonies, that it contained no difficulty, except the reserving for a separate treaty the pretensions of the said Power, and those of the American Provinces aforesaid, so that France should not interfere in the arrangement of their interests;—at least, this is what any person of sincerity and good faith would then or even now believe, who read, or now reads the explanations of the English Cabinet in that dispatch. Under this supposition, we shall communicate, for the eye of the impartial public,

the ultimatum of the propositions made by the Catholic King to the two Courts of Paris and London, he having taken on himself the adjustment of the disputes subsisting with the American provinces, and considering there was not time to communicate to them, or even to France, this his resolution, and whereof advice was given to the said Courts on the 3d of April in the present year; that is to say, seven days after the having received the answer of the English Cabinet.

“ If these openings or propositions (thus literally are the expressions of the ultimatum) had come immediately after the King had made his, for the forming a plan of reconciliation, many difficulties might already have been removed or adjusted by the modifications which it might have been practicable to have negotiated, if reciprocal good faith had existed, and a confidence to conclude a peace. But having lost more than two months time, (without mentioning what was neglected before, and observing in this interval, there was no need of cessation in the forming great expeditions or preparations) suspicions inevitably arose, that the drift was to amuse and consume the remaining months of the campaign, and to continue the war with vigour. If this be the case, every attempt of the King will be useless towards establishing concord between the belligerent powers. Nevertheless, his Majesty, to give the last proof of his love of humanity, and that he has not left undone
“ any

" any thing to impede and put a
" stop to the calamities of war,
" has commanded that the fol-
" lowing plan be proposed to the
" two Courts, which on his part
" is the ultimatum of his nego-
" ciation.

" That with a view that this
" suspension of hostilities may re-
" establish reciprocal security and
" good faith between the two
" Crowns, there shall be a gene-
" ral disarming, within one
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" seas, within four, in those of
" America, and within eight, or
" one year, in those remote parts
" of Africa and Asia. That in
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" the Plenipotentiaries of the two
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" definitive adjustment of peace,
" regulate the respective restitu-
" tions or compensations neces-
" sary, in consequence of the
" reprisals that have been made,
" without any declaration of war,
" and to settle such matters of
" complaint or pretension, as the
" one Crown may have against
" the other: to the accomplish-
" ment of which end, the King
" will continue his mediation,
" and does now, for the holding
" of this Congress, make an offer
" of the city of Madrid. That
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" shall be separately granted by
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" American Colonies, through
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" of his Catholic Majesty, to
" whom the said Potentate shall
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" giving to his Majesty an antici-
" pated notice of one year, that
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" that there be established a reci-
" procal disarming the same as
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" and places, regulating the li-
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" the one or the other party, with
" respect to the places they may
" respectively occupy at the time
" of ratifying this adjustment.

" That for settling these particu-
" lars, and others relative to
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" (if they should be in need of it)
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Whoever compares these articles
with the preceding openings made
by the Court of London, will de-
cide, if there can be imagined
proposals more moderate, or more
analogous to the system laid down
by the British Cabinet:—Perhaps
his Catholic Majesty has rather
gone too far in the moderation to
which

which he reduced the said propositions, taking on himself the difficult task of settling the disputes.

22. The greatest repugnance which the British Cabinet affected to shew to the ultimatum and propositions of the King of Spain, rests on the point of treating the Colonies as Independent in acting during the interval of the truce.

To what has been already said, may be added, what was affirmed in all the public papers of the month of February, 1778, that Lord North had on the 17th of the said month, proposed in the House of Commons, as a matter of course, "That the Commissioners, then appointed by the Court of London, should treat with the American Deputies, as if they were Plenipotentiaries of independent States; with proviso, that this concession should not be prejudicial to Great Britain, if in the course of the negotiation the colonies should resolve to desist from their claim of independence."

It is a thing very extraordinary, and even ridiculous, that the Court of London treats the Colonies as independent, not only in acting, but of right, during this war, and that it should have a repugnance to treat them as such, only in acting during a truce or suspension of hostilities. The Convention of Saratoga; the releasing General Burgoyne, as a lawful prisoner, to suspend his trial; the exchange and liberating of other prisoners made from the Colonies; the having named Commissioners to go and supplicate the Americans at their own doors; request peace of them, and treat with them and the Congress; and

finally, by a thousand other acts of this sort, authorised by the Court of London, have been, and are true signs of the acknowledgment of the independence: and the English nation itself may judge and decide, whether all those acts are so compatible with the decorum of the British crown, as would be the granting to the Colonies, at the intercession of his Catholic Majesty, a suspension of hostilities, adjust their differences, and treat them in this interval as independent States.

23. It must appear incredible, after having considered the preceding articles, that the Court of London should refuse to accept of the propositions of the ultimatum of that of Madrid, although with some explanations that it might think necessary; but that Court not only rejected them, in its answer given the 4th of May, after various pretexts for delay, but put forth indirect and strained interpretations of the proposals that were then made, having the effrontery to say, that "the drift of Spain was to form, from the pretensions of the Colonies to independence, one common cause with them and with France."—The British Cabinet concluding, with saying, "That if the conditions which the Court of Versailles had communicated to his Catholic Majesty, did not present a better aspect than this for the treaty, or did not offer less imperious and unequal terms, the King of Great Britain would only have to lament, that he found the hopes frustrated, which he had always conceived of the happy restoration of peace,

"peace, as well for his subjects as the world in general."

If this is not a want of respect to the mediating King, a real provocation, and evident in consequence, it will be difficult to find expressions more adapted for it. Neither did his Catholic Majesty make a common cause with France and the Colonies in his last proposals, nor were they made to France, to whom they were not, nor could not, for want of time, be communicated, before they were transmitted to the Court of London; so that the whole apparatus of those haughty expressions of the English Ministry amount merely to say, that in spite of the overture made by themselves on the 16th of March, they preferred war to peace, or treating with the fore-mentioned mediator, whom they provokingly insulted, treating him as partial, leagued with the enemies of Great Britain, imperious, and inconsistent.

In aggravation to all the foregoing, at the same time the British Cabinet answered the King of Spain in the terms already mentioned, they were insinuating themselves at the Court of France, by means of secret emissaries, and making very great offers to her to abandon the Colonies, and make peace with England. But there is yet more: at the very same time, the English Ministry were treating, by means of another certain emissary, with Dr. Franklin, Minister Plenipotentiary from the Colonies, residing at Paris, to whom they made various proposals to disunite them from France, and to accommodate matters with England, on conditions almost identically the same as those

which they had rejected or spurned at, as coming from his Catholic Majesty, but in fact with offers much more favourable to the said Colonies. The said treaty went so far as to be extended in formed articles, with various explanations; and was carried on under the authority of one of the principal English Ministers. Of all this, and much more, it would be easy to inform the public, by true and formal copies, if it were necessary, or that this implacable enemy hereafter obliges it to be done, and who has always been treated by Spain with the greatest moderation.

24. The true intentions of the Court of London being clearly discovered, the Catholic King could not longer withhold the putting in full force the treaties concluded with France. From what has been observed in the preceding note, it evidently follows, that the whole of the English policy was to disunite the two Courts of Paris and Madrid, by means of the suggestions and offers the separately made to them; also to separate the Colonies from their treaties and engagements entered into with France, induce them to arm against the House of Bourbon, or, more probably, to oppress them, when they found (from breaking their engagements) they stood alone and without protectors or guarantees for the treaties they might enter into with the British Ministry. This, therefore, is the net they laid for the American States; that is to say, to tempt them with flattering and very magnificent promises to come to an accommodation with them, exclusive of any intervention of Spain

or France; that the British Ministry might always remain the arbitrators of the fate of the said Colonies, in the point of fulfilling any treaties or agreements they might make. But the Catholic King, faithful, on the one part, to the engagements which bind him to the Most Christian King, his nephew; just and upright, on the other, to his own subjects, whom he ought to protect and guard against so many insults; and finally, full of humanity and compassion for the Americans and other individuals who suffer from the calamities of the present war, he is determined to pursue and prosecute it, and to make all the efforts in his power, until he can obtain a solid and permanent peace, with full and satisfactory securities that it shall be observed.

25. To attain, as before-mentioned, the much-desired end of a secure peace, it is absolutely necessary to curtail and destroy the arbitrary proceedings and maxims of the English maritime power; to the attainment of which, all other maritime powers, and even all nations in general, are become much interested. The Catholic King, for his part, has done all he possibly could, that the insults founded in such proceedings and maxims should be put an end to, but this he has not been able to effect by amicable means. On the contrary, injuries have been repeatedly continued, as has been represented in the negotiation set on foot with England by the mediation of the said monarch. The Court of London has become forgetful, in these later times, that she should have adjusted and settled her differences with Spain ac-

cording to agreement. In the same month of May, in which this negotiation was put an end to, there came advices of the violences committed by English ships and their crews in the river Saint John, and Bay of Honduras, (of which mention has been made in note the first) and it was known also, with great probability, that the English Cabinet had given anticipated orders for the invasion of the Philippine Islands. From such deeds, as well as from the foregoing, the impartial and candid world will be enabled to do justice in this famous controversy, and decide whether the declaration presented by the Marquis of Almadovar, the 16th June last, is founded in reason and truth. In the mean while it should be observed, that the Court of London, on the 13th of said month, issued orders for commencing and committing hostilities, and making reprisals against Spain, who did not issue similar orders till after she had received advice thereof.

Copy of the ANSWER transmitted to the Marquis d'Almadovar by Lord Viscount Weymouth, dated the 13th of July, 1779.

THE Marquis d'Almadovar, late Ambassador of his Catholic Majesty at this Court, on his sudden departure, left with Viscount Weymouth, Secretary to his Britannic Majesty, a declaration of war, founded on a detail of motives to justify so violent a step.—In this detail Spain affects to complain in general of the little desire the King shewed towards the preservation of peace, and, in particular,

particular, against the disrespectful treatment of the Spanish flag, and the violation of the territory belonging to his Catholic Majesty.

As nothing could be more distant from the King's intention than to break the friendship subsisting between Great Britain and Spain, it is by order of his Majesty, that the said Viscount Weymouth offers such a state of the matters set forth in the said Declaration, as, he doubts not, must shew the sincerity with which his Majesty hath endeavoured to maintain the general tranquillity.

The little desire for peace, as supposed on the part of the King, is deducible from the conduct attributed to Great Britain during the last negotiation: after the professions of the impartiality of his Catholic Majesty; his offers of mediation between Great Britain and France, and after the acceptance of the same, the Declaration affirms,—‘That every step had been taken necessary to produce the best effects, in order to prepare the two powers towards an accommodation equally honourable to both parties; that to this end wise expedients had been proposed; but notwithstanding these terms were conformable to such as the Court of London, at other times, judged proper and conducive to an accommodation, they were, however, rejected in a manner that proves too well the reluctance on the part of the British Cabinet to restore peace to Europe, and to preserve the friendship of his Catholic Majesty.’

The conditions offered by France were, to the highest degree, injurious and inadmissible; the King expressly declared, that he consid-

ered them as such; nothing can be more evident than that the expedients offered by Spain inevitably tended to enforce these very injurious conditions, but just before declared as inadmissible.

The pernicious consequences of the proposed expedients had been explained to the Court of Spain, by order of the King, and that they were in the most amicable manner expressly rejected. Had it been otherwise, there could be no reason for an ultimatum: yet it is not without astonishment, that, after the first answer, the King received the ultimatum from the Court of Spain, not only containing the very same offers that rejected, but announced with scarce any difference in point of form.

The Declaration further says, ‘That, on the 28th of September, the Court of Spain had notified to the belligerent powers, that in case the negociation did succeed, she would then determine how to act.’—If the open part the Court of Spain now takes, be THAT she secretly intended at that time, it would have been more consistent with her dignity THEN to avow it, and range herself openly under the banners of France.

Instead of such a conduct, the Court of Madrid, affecting impartiality, hath offered to mediate, but not to dictate the terms of peace, promising to communicate to each Court the conditions claimed by either; that so they might be modified, explained, or rejected. When the proposals made by France were rejected, and the Declaration made to Spain to cease her mediation, since her en-

deavours did not succeed, it was accompanied with assurances, that the friendship subsisting between the two nations should not be interrupted.

How far this is true, appears from the actual Declaration, announcing hostilities on the part of Spain, without venturing to state the non-acceptance of the terms as one of the causes of the war: but should it be otherwise insinuated, it will furnish his Majesty with an additional reason to complain of the injustice and arrogance of such a pretension.

The previous causes which the Court of Spain hath thought proper to urge, are, the insults against her flag, and the violation on her territory. As to the first, these are the terms of her memorial: 'Prizes have been made; vessels have been searched and plundered; many have been fired upon who were forced to defend themselves; the registers and packets belonging to the Court, and found on board his Catholic Majesty's packet-boats, have been opened and torn to pieces.'

All sorts of American vessels have been received in the ports of Spain; they have been furnished with false documents, and suffered to carry Spanish colours; their privateers have plundered all nations without distinction, and such has been the industry of the Spanish Ministry in order to enhance the number of grievances, that these depredations were by them represented as injuries committed by Great Britain. These complaints, which do not exceed the number of twenty-four, seldom specify the author of the supposed insult, and those which did

were frequently ill-founded, and in general frivolous; however, it is granted that the answers were amicable. The King thought it worthy of himself not only to use every precaution necessary to prevent disorders which might offend neutral powers, but also to exert every effort to punish the authors, and repair the loss of the sufferers. Such hath been his conduct at all times when possible to discover and convict the guilty.—Among the vast operations, such as in the present war, it is not surprising that some irregularities have happened; but when such cases were proved, restitution was made with ample damages, and all charges paid.

It has been advanced, 'That his Catholic Majesty formally declared to the Court of London, ever since France commenced hostilities, that the Court of Madrid would regulate her conduct by that of the Court of Great Britain.'—Nevertheless thirteen English vessels have been seized, on what pretence, or by whose order, we are still to learn, although his Majesty ordered such representations to be made, as are usual on the like occasions, between nations in a state of amity; which his Majesty did, not attributing these seizures to a perfidious and inimical design, until the conduct of the Court of Spain has been better explained by the present Declaration.

The pretended violation of the Spanish territory may be reduced to four heads.

In the first place it is said, 'That the dominions in America, belonging to the Court of Spain, have been threatened,' without specifying time, place, or circumstance.

Secondly,

Secondly, the memorial mentions, 'That the Indians have been set against the innocent inhabitants of Louisiana, who must have fallen victims to their fury, had not even the Chactaws repented, and revealed the conspiracy.'—It is well known that the Governor of New Orleans tried to seduce the Chactaws, and that he received with open arms those tribes, which committed devastations in the English Western settlements. These tribes returned, but were not set against the Spanish territory; it was never attempted, nor was such an idea ever entertained.

The Declaration asserts, 'That a formal representation was made to the Court of London concerning these different grievances, and seeing the equivocal expressions on the two preceding points, such remonstrances were particularly necessary towards the strict observance of the good faith between two nations at peace.'—It is not true that the least representation was ever made on either of the two preceding articles, to which the most ample and satisfactory answers might have been given.

Thirdly, they pretend, 'That the sovereignty of his Catholic Majesty, in the province of Darien, and on the coast of Saint Blas, hath been usurped, the government of Jamaica having appointed an Indian to the rank of General over those provinces : '—On this subject, instructions were dispatched, bearing date the 28th of April last, as is usual between nations in friendship; no advices being received from Jamaica on this matter, fresh orders were sent for a full explanation,

but in point of time no answer could yet be expected.

Fourthly, 'That the territory in the Bay of Honduras has been usurped, acts of hostilities committed, the Spaniards imprisoned, and their houses plundered; as also that England had neglected to fulfil the stipulated article relative to this coast, agreeable to the 17th article of the treaty of Paris.'—With regard to the English subjects frequenting the Bay of Honduras, that matter had been regulated according to the aforesaid article, and finally adjusted with the Court of Spain in the year 1764. Since which period no complaint having been made on either side, this Court is still ignorant whether the least cause ever existed.—Surely this cannot be included among the pretended grievances which the Declaration supposes, as having been duly represented either to the English Court, or to her Ambassador at the Court of Madrid.

Such are the motives alledged by the Court of Spain in the name of his Catholic Majesty, as a justification before God and the world, for commencing hostilities against Great Britain. The King appeals to the actual state of affairs, being the same as that which subsisted since the conclusion of the last treaty, as a full proof that no attempt was ever made on his part to infringe this treaty.—He appeals to his uniform conduct ever since this epoch, to furnish still stronger proofs that he hath endeavoured to preserve the same with all the assiduity and care, which the interests of humanity and the happiness of his subjects required.

required.—Ultimately, he appeals to the conduct of his enemies, and in particular to the aforesaid Declaration from the Court of Spain, as the last proof of the necessity he is under to defend the rights of his Crown and people, against a determined project to invade the same; a project wherein the Court of Spain at length openly joins, without the least reason to colour such a proceeding.

A MANIFESTO published at Paris, displaying the Motives and Conduct of his Most Christian Majesty towards England.

TRANSLATION.

WHEN the Sovereign Disposer of events called his Majesty to the throne, France enjoyed the most profound peace. The first concern of his Majesty was to signify to all the powers of Europe, his sincere desire, that the blessings of peace might be perpetuated to his kingdom. This gracious disposition of his Majesty was generally applauded; the King of England in particular testified his satisfaction, and gave his Majesty the most expressive assurances of sincere friendship. Such a reciprocity of sentiment justified his Majesty in believing, that the Court of London was at last disposed to adopt a mode of conduct more equitable and friendly, than that which had been adopted since the conclusion of the peace of 1763, and that a final stop would be put to those various acts of tyranny, which his subjects had in every quarter of the globe experienced on the part

of England, from the æra above mentioned. His Majesty persuaded himself that he could still place the greater reliance on the King of England's protestations, as the primordial seed of the American revolution began to unfold itself in a manner highly alarming to the interest of Great Britain.

But, the Court of London, vainly imputing that to fear or feebleness, which was only the natural effect of his Majesty's pacific disposition, strictly adhered to her customary system, and continued every harrassing act of violence against the commerce and the navigation of his Majesty's subjects. His Majesty represented these outrages to the King of England with the utmost candour, and judging of his sentiments by his own, his Majesty had the greatest confidence, that the grievances would be no sooner made known to the King of England, than he would redress them. Nay, further, his Majesty being thoroughly acquainted with the embarrassment which the affairs of North America had occasioned the Court of London, charitably forbore to increase that embarrassment, by insisting too hastily on those reparations of injuries, which the English Ministers had never ceased to promise, nor ever failed to evade.

Such was the position of affairs between the two Courts, when the measures of the Court of London compelled the English colonists to have recourse to arms to preserve their rights, their privileges, and their liberty. The whole world knows the æra when this brilliant event shone forth; the multiplied and unsuccessful efforts made by the

the Americans to be reinstated in the bosom of their mother country; the disdainful manner in which they were spurned by England; and finally, the act of independence, which was at length, and could not but have been the necessary result of this treatment.

The war in which the United States of North America found themselves involved, with regard to England, necessarily compelled them to explore the means of forming connections with the other powers of Europe, and of opening a direct commerce with them. His Majesty would have neglected the most essential interests of his kingdom, were he to have refused the Americans admission into his ports, or that participation of commercial advantages which is enjoyed by every other nation.

This conduct, so much the result of justice and of wisdom, was adopted by far the greater part of the commercial states of Europe; yet it gave occasion to the Court of London, to prefer her representations, and give vent to all the bitterness of complaint. She imagined, no doubt, that she had but to employ her usual style of haughtiness and ambition, to obtain of France an unbounded deference to her will. But, to the most unreasonable propositions, and the most intemperate measures, his Majesty opposed nothing but the calmness of justice, and the moderation of reason. His Majesty gave the King of England plainly to understand, that he neither was, nor did he pretend to be, a judge of the disputes with his colonies; much less would it become his Majesty to avenge his quarrel: that in consequence his

Majesty was under no obligation to treat the Americans as rebels; to exclude them from his ports, and to prohibit them from all commercial intercourse with his subjects. Notwithstanding, his Majesty was very ready to shackle, as much as depended on him, the exportation of arms and military stores; and gave the most positive assurance, not only that he would not protect this species of commerce, but that he would also allow England free permission to stop those of his subjects who should be detected in carrying on such illicit traffic, observing only the faith of treaties, and the laws and the usages of the sea. His Majesty went still further: he was scrupulously exact in observing every commercial stipulation in the treaty of Utrecht, although it was daily violated by the Court of London, and England, at the very time, had refused to ratify it in all its parts. As a consequence of the amicable part thus taken by his Majesty, he interdicted the American privateers from arming in his ports; he would neither suffer them to sell their prizes, nor to remain one moment longer in the ports of France, than was consistent with the stipulations of the above treaty. His Majesty strictly enjoined his subjects not to purchase such prizes; and in case of disobedience they were threatened with confiscation. These acts, on the part of his Majesty, had the desired effect. But all these acts, distinguished as well by their condescension, as by their strict adherence to the spirit and letter of a treaty, which his Majesty, (had he been so disposed) might have considered as non-existing;

existing; all these acts were far from satisfying the Court of London. That Court affected to consider his Majesty as responsible for all transgressions, although the King of England, notwithstanding a solemn act of parliament, could not himself prevent his own merchants from furnishing the North American colonies with merchandize and even military stores.

It is easy to conceive how the refusal of yielding to the assuming demands, and arbitrary pretensions of England, would mortify the self-sufficiency of that Power, and revive its ancient animosity to France. She was the more irritated from her having begun to experience some checks in America, which prognosticated to her the irrevocable separation of her colonies; and from foreseeing the inevitable calamities and losses following such a separation; and observing France profiting by that commerce, which she, with an inconsiderate hand, had thrown away, and adopting every means to render her flag respectable.

These are the combined causes which have increased the despair of the Court of London, and have led her to cover the seas with her privateers, furnished with letters of marque conceived in the most offensive terms; to violate without scruple the faith of treaties, to harass, under the most frivolous and absurd pretences, the trade and navigation of his Majesty's subjects; to assume to herself a tyrannical empire of the sea; to prescribe unknown and inadmissible laws and regulations; to insult on many occasions his Majesty's flag; in short, to infringe on his territories, as well in Eu-

rope as in America, in the most marked and characteristic style of insult.

If his Majesty had been less attentive to the sacred rights of humanity; if he had been more prodigal of the blood of his subjects: in short, if, instead of following the benevolent impulse of his nature, he had sought to avenge wounded honour, he could not have hesitated a moment to make use of reprisals, and to repel those insults which had been offered to his dignity, by the force of his arms. But his Majesty stifled even his just resentments. He was desirous that the measure of his goodness might overflow, because he still retained such an opinion of his enemies as to expect, they would yield that to moderation and amicable adjustment on his part, which their own interests required of them.

It was these considerations which moved his Majesty to detail the whole of his complaints to the Court of London. This detail was accompanied with the most serious representations, his Majesty being desirous that the King of England should not be left in any uncertainty, as to his Majesty's actual determination to maintain his own dignity inviolate; to protect the rights and interests of his subjects; and to render his flag respectable. But the Court of London affected to observe an offensive silence on every grievance represented by his Majesty's Ambassador; and when it was determined to vouchsafe an answer, it was an easy matter to deny the best authenticated facts; to advance principles contrary to the law of nations, to positive treaties,

to marine aflag; and to encourage judgments without justice, and confiscations without mercy, not leaving the injured even the means of appeal. At the same time that the Court of London put the moderation and forbearance of the King to the severest trial, in the ports of England there were preparations making and armaments equipping, which could not have America for their object; the design was too determinate to be mistaken. His Majesty, therefore, found it indispensable to make such dispositions on his part, as might be sufficient to prevent the evil designs of his enemy, at the same time provide against depredations and insults similar to those committed in 1755.

In this state of things his Majesty, who had hitherto rejected the overtures of the United States of North America, (and that in contradiction to his most pressing interests) now perceived that he had not a moment to lose in concluding a treaty with them. Their independence had been declared and established; England herself had in some sort recognized that independence, by permitting the existence of acts which carried every implication of sovereignty. Had it been the intention of his Majesty to deceive England, and to adopt measures for the purpose of covering the deception, he might have drawn the veil of secrecy over his engagements with his now allies; but the principles of justice, which have ever directed his Majesty, and his sincere desire of preserving peace, were decisive inducements for him to pursue a conduct more generous and noble: his Majesty conceived it a duty

which he owed to himself, to notify to the King of England the alliance he had formed with the United States. Nothing could be more simple or less offensive than the Rescript delivered by his Majesty's Ambassador to the British Minister. But the Council of St. James's were not of this opinion; and the King of England, after having first broken the peace, by recalling his Ambassador, announced to his Parliament the Declaration of his Majesty, as an act of hostility, as a formal and premeditated aggression. It would be refusing credulity to suppose it can be believed, that his Majesty's recognition of the independence of the Thirteen United States of America, should of itself have so irritated the King of England; that Prince, without doubt, is well acquainted with all those instances of the kind which not only the British annals, but his own reign, can furnish. His resentment is founded on another principle. The French treaty defeated and rendered useless the plan formed at London for the sudden and precarious coalition that was about to be formed with America, and it baffled those secret projects adopted by his Britannic Majesty for that purpose. The real cause of that extreme animosity which the King of England has manifested, and which he has communicated to his Parliament, was the not being able to regain America, and turn her arms against France.

A conduct thus extraordinary, taught his Majesty what he had to expect from the Court of London; and, even had there remained a possibility of doubt, the immense preparations carrying on in the different

different ports of England with redoubled vigour, would have cleared up the doubt. Measures so manifestly directed against France, had the effect of imposing a law on his Majesty; he put himself in a condition to repel force by force; it was with this view that he hastened the equipment of his armaments, and that he dispatched a squadron to America under the command of *Compte d'Estaing*.

It is notorious that the armaments of France were in a condition to act offensively, long before those of England were prepared. It was in his Majesty's power to have made a sudden and a most sensible impression on England. The King was avowedly engaged in the enterprize, and his plans were on the point of being carried into execution, when the bare whisper of peace stayed his hand, and suspended their execution. His Catholic Majesty imparted to the King the desire of the Court of London to avail herself of the mediation of Spain on the subject of conciliation. But his Catholic Majesty would not engage to act as mediator without a previous assurance of his good offices being unequivocally accepted, in a case where he interposed without being made acquainted with the principal objects, which were to serve as the basis of the negotiation.

The King received the overture with a satisfaction proportioned to the wish he had uniformly expressed for the continuance of peace. Notwithstanding the King of Spain had professed it to be a matter of perfect indifference to him, whether his mediation was accepted or not; and that not-

withstanding the overtures he made, he left the King, his nephew, entirely at liberty to act as he thought proper; yet his Majesty not only consented to the mediation, but he immediately countermanded the sailing of the *Brest* fleet, and he agreed to communicate his conditions of peace the moment that England should express, in positive terms, a desire of reconciliation, in which the United States of North America were to be comprehended, France by no means entertaining an idea of abandoning them: there could not surely be any thing more conformable to the ostensible wishes of the Court of London, than this proposal. His Catholic Majesty lost not a moment to discuss the business with the King of England and his Minister; but it was quickly discovered by the Court of Madrid, that the English Ministers were not sincere in their overtures for peace. The British Minister talked expressly of his Majesty withdrawing the Rescript which had been delivered by his Ambassador on the 13th of March, 1778, as a preliminary and absolutely necessary step to reconciliation. Such an answer was injurious to Spain as well as to France; and it developed the hostile intentions of England, in the clearest point of view. Both monarchs viewed each other with amazement; and although his Majesty (always animated with the love of peace) left the Catholic King to act as he thought most prudent with respect to continuing his mediation, yet he judged it expedient to command his *Chargé des Affaires* at London, to observe a profound silence on the subject.

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The hope of peace continued, however, to flatter the disposition of his Majesty, until the fleets commanded by the Admirals Képél and Byron sailed out of port. Then it was, that the veil of deception which had served to cover the real intentions of the Court of London, was rent asunder. It was no longer possible to place confidence in her insidious professions, nor could the aggressive design of England be any longer doubted. The face of things being thus changed, his Majesty found himself obliged to make an alteration in those measures he had previously adopted, for the security of his possessions, and to preserve the commerce of his subjects. The event will very soon demonstrate his Majesty's foresight to have been just. The world can witness in what manner his Majesty's frigate the *Belle Poule* was attacked by an English frigate, within view of the coast of France, nor is it less notorious that two other frigates, and a smaller vessel, were surprised and carried into the ports of England. The departure of the fleet under Comte d'Orvilliers became absolutely necessary, to frustrate the designs of the enemies of his Majesty's Crown, and to revenge the insults his flag had received. Providence disposed the triumph in favour of his Majesty's arms: Comte d'Orvilliers, after being attacked by the English fleet, forced them to retreat with considerable damage.

Since that period hostilities have been continued without any declaration of war. The Court of London has not declared it, because she would be wanting in reasons to justify her conduct. Nor has she

dared to accuse France publicly of being the aggressor, after three of his Majesty's vessels had been captured by the English fleet; and she felt that she would have ample cause to blush, when the execution of those orders she had sent clandestinely to India should have opened the eyes of all Europe to the degree of reliance which can be placed in her pacific professions, and should have enabled every power in it to determine, to which of the two powers, France or England, the term of *perfidious* most properly applies, an epithet which the English Minister loses no opportunity of bestowing upon France.

As to the King, if he has deferred notifying to the world the multiplied injuries he has sustained from the Court of London; if he has delayed demonstrating the absolute necessity of his having recourse to arms; such a procrastination on the part of his Majesty, has been owing to a fond hope that the English Minister would at last recollect himself, and, that either justice, or the more critical situation into which he has plunged his country, would have prevailed on him to change his conduct.

This hope appeared to have been the better founded, as the English Minister was continually dispatching his emissaries to sound his Majesty's dispositions, at the very time the King of Spain was negotiating with him for peace. His Majesty, so far from belying those sentiments which he had always expressed, listened with eagerness to the advice of the King his uncle; and, to convince that Prince of his persevering sincerity, his Majesty entrusted him, without reserve

reserve, with those very moderate conditions, on which his Majesty would most gladly have laid down his arms.

The Catholic King communicated to the Court of London the assurances he had received from his Majesty, and he urged that Court to perfect the reconciliation which she had long so earnestly affected to desire. But the English Minister, although constantly feigning a desire of peace, never returned an ingenuous answer to the King of Spain, but was perpetually insulting his Catholic Majesty, with a tender of inadmissible propositions, quite foreign to the subject of dispute.

It was now clear from the most indisputable evidence, that England did not wish for peace, and that she negotiated for no other purpose but to gain time to make the necessary preparations for war. The King of Spain was perfectly sensible of this truth; nor was he less sensible how much his own dignity was committed; yet his heart anticipated the calamities of war, and he forgot his own wrongs in his anxious wish for peace. He even suggested a new plan of a cessation of arms for a term of years. This plan was perfectly agreeable to his Majesty, on condition that the United States of America should be comprised in the proposal, and that during the truce, they should be treated as independent. To render it more easy for the King of England to subscribe to this essential stipulation, his Majesty consented that he should either treat immediately with Congress, or through the mediation of the King of Spain.

In consequence of these over-

tures, his Catholic Majesty dispatched his plan to the Court of London. Besides the time limited for the suspension of hostilities (during which the United States were to be considered as independent *de facto*) his Catholic Majesty took it on himself to propose, relative to America, that each party should have the possession of what they occupied at the time of signing the treaty of suspension, guaranteed to them. Such infinite pains did the King of Spain take to stop the effusion of human blood!

There is not a doubt but that these conditions must appear, to every well-judging person, such as would have been accepted; they were, however, formally rejected by the Court of London, nor has that Court shewn any disposition to peace, unless on the absurd condition that his Majesty should abandon the Americans, and leave them to themselves.

After this afflicting declaration, the continuation of the war is become inevitable; and therefore his Majesty has invited the Catholic King to join him in virtue of their reciprocal engagements, to avenge their respective injuries, and to put an end to that tyrannical empire which England has usurped and pretends to maintain upon the ocean.

This succinct exposure of the political views, and the progressive series of events which have occasioned the present rupture between the Courts of Versailles and London, will enable all Europe to draw a parallel between the conduct of his Majesty, and that of the King of England; to render justice to the purity and directness

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of intention, which during the whole of the dispute has characterised his Majesty; and finally, all Europe will be enabled by this publication to judge, which of the two Sovereigns is the real author of the war which afflicts their kingdoms; and which of the two potentates will be answerable at the tribunal of Heaven, for that train of calamities occasioned by the war!

Paris, 1779.

Published by authority.

The JUSTIFYING MEMORIAL of the King of Great Britain, in Answer to the EXPOSITION, &c, of the Court of France.*

THE ambition of a power, ever a foe to public tranquillity, hath at length obliged the King of Great Britain to employ the strength which God and his people have confided to him, in a just and lawful war.—It is in vain that France endeavours to justify, or rather disguise, in the eyes of Europe, by her last Manifesto, the politics which seem to be dictated by pride and cunning, but which cannot be reconciled with the truth of facts, and the rights of nations. That equity, moderation, and love of peace, which have always regulated the steps of the King, now engage him to submit the conduct of himself and his enemies, to the judgment of a free and respectable tribunal, which will pronounce, without fear or flattery, the decree of Europe to the present age, and to posterity. This tribunal, composed of the understanding and disinterested men

of all nations, will never regard professions; and it is from the actions of Princes, that they ought to judge of the motives of their conduct, and the sentiments of their hearts.

When the King ascended the throne, he enjoyed the success of his arms in the four quarters of the world! His moderation re-established public tranquillity, at the same time that he supported with firmness the glory of his crown, and procured the most solid advantages to his people. Experience had taught him how bitter and afflicting even the fruits of victory are; and how much wars, whether happy or unsuccessful, exhaust a people without aggrandizing their Princes.

His actions proved to the world, that he knew the value of peace, and it was at least to be presumed, that that reason which had enlightened him to discern the inevitable calamities of war, and the dangerous vanity of conquest, inspired him with the sincere and unshaken resolution of maintaining the public repose, of which he was himself the author and guarantee. These principles were the foundations of that conduct which his Majesty held invariably for the fifteen years which followed the peace concluded at Paris in 1763; that happy æra of quiet and happiness, will be preserved for a long time, by the recollection, perhaps the regret, of the European nations. The instructions of the King to all his Ambassadors, were impressed with the marks of his character and maxims.

He recommended it to them, as the most important part of their duty, to listen, with the most scrupulous

* Although this Memorial has not been formally avowed, its authenticity is not doubted.

pulous attention, to the complaints and representations of the powers, his neighbours or allies; to stifle in the beginning, all grounds of quarrel that might embitter or alienate the minds of men; to turn aside the scourge of war, by every expedient compatible with the dignity of the Sovereign of a respectable nation; and to inspire all people with a just confidence on the political system of a Court which detested war, without fearing it; which employed no other means than those of reason and sincerity, and which had no other object, but the general tranquillity. In the midst of this calm, the first sparks of discord were kindled in America. The intrigues of a few bold and criminal leaders, who abused the credulous simplicity of their countrymen, insensibly seduced the greatest part of the English Colonies to raise the standard of revolt against the Mother Country, to which they were indebted for their existence and their happiness. The Court of Versailles easily forgot the faith of treaties, the duties of allies, and the right of Sovereigns, to endeavour to profit of circumstances, which appeared favourable to its ambitious designs. It did not blush to debase its dignity, by the secret connections it formed with rebellious subjects; and after having exhausted all the shameful resources of perfidy and dissimulation, it dared to avow, in the face of Europe (full of indignation at its conduct) the solemn treaty which the Ministers of the Most Christian King had signed with the dark agents of the English Colonies, who founded their pretended independence on nothing but the daringness of their revolt.

The offensive Declaration which the Marquis de Noailles was ordered to make to the Court of London, on the 13th of March, in the last year, authorized his Majesty to repel, by force of arms, the unheard-of insult that was offered to the honour of his crown; and the King remembered, on that important occasion, what he owed his subjects and himself. The same spirit of imposture and ambition continued to reign in the councils of France.—Spain, who has, more than once, repented having neglected her true interests, to follow blindly the destructive projects of the elder branch of the House of Bourbon, was engaged to change the part of mediator, for that of enemy of Great Britain. The calamities of war are multiplied, but the Court of Versailles hath, hitherto, nothing to boast of the success of its military operations; and Europe knows well how to rate those naval victories, which exist no where but in the Gazettes and Manifestos of pretended conquerors.

Since war and peace impose on nations duties entirely different, and even opposite, it is indispensably necessary to distinguish, in reasoning as well as in conduct, the two conditions: but in the last Manifesto, published by France, these two conditions are perpetually confounded: she pretends to justify her conduct in making the best, by turns, nay, almost at the same time, of those rights which an enemy only is permitted to claim, and of those maxims which regulate the obligations and procedure of national friendship. The finess of the Court of Versailles, in blending incessantly two suppositions, which have no connection,

tion, is the natural consequence of a false and treacherous policy, which cannot bear the light of the day. The sentiments and conduct of the King have nothing to fear from the most severe scrutiny; but, on the contrary, invites it to distinguish clearly what his enemies have confounded with so much artifice. Justice alone can speak, without fear, the language of reason and truth.

The full justification of his Majesty, and the indelible condemnation of France, may be reduced to the proof of two simple, and almost self-evident principles.—First, That a profound, permanent, and, on the part of England, a sincere and true peace, subsisted between the two nations, when France formed connections with the revolted Colonies, secret at first, but afterwards public and avowed.—Second, That according to the best acknowledged maxims, of the rights of nations, and even according to the tenor of treaties actually subsisting between the two crowns, these connections might be regarded as an infraction of the peace; and the public avowal of these connections was equivalent to a declaration of war on the part of the Most Christian King.—This is, perhaps, the first time that a respectable nation had an occasion to prove two truths, so incontestible, the memory of which is already acknowledged by every disinterested and prejudiced person.

“When Providence called the King to the throne, France enjoyed a most profound peace.” These are the expressions of the last Manifesto of the Court of Versailles, which easily remembers the solemn assurances of a sincere friendship,

and the most pacific disposition which it received from his Britannic Majesty, and which were often renewed by the intervention of Ambassadors to the two Courts, during four years, until the fatal and decisive moment of the Declaration of the Marquis de Noailles. The question, then, is to prove, that during this happy time of general tranquillity, England concealed a secret war under the appearance of peace; and that her unjust and arbitrary procedure was carried to such a pitch, as to render lawful, on the part of France, the boldest steps, which are permissible only in a declared enemy. To attain this object, griefs clearly articulated and solidly established, should be produced before the tribunal of Europe. This great tribunal will require formal, and, perhaps, repeated proofs of the injury, of the complaint; of a refusal of competent satisfaction; and of a protestation of the injured party, that it held itself highly offended by such refusal, and that it should look upon itself hereafter as released from the duties of friendship, and the bonds of treaties. Those nations which respect the sanctity of oaths, and the advantages of peace are the slowest to catch hold of opportunities which seem to discharge them from a sacred and solemn obligation; and it is but with trembling that they dare to renounce the friendship of powers, from which they have long borne injustice and insult.

But the Court of Versailles hath been either ignorant of these wise and salutary principles, or it hath despised them; and, instead of fixing the foundations of a just and legitimate war, it hath contented

mented itself to spread through every page of its Manifesto, general and vague complaints, expressed with exaggerations in a metaphorical style.—It goes above three-score years back to accuse England of her want of care to ratify some commercial regulations, some articles of the treaty of Utrecht. It presumes to reproach the King's ministers with using the language of haughtiness and ambition, without condescending to the duty of proving imputations as unlikely as they are odious. The free suppositions of the ambition, and insincerity of the court of London, are confessedly healed up, as if they feared to be discriminated; the pretended insults which the commerce, the flag, and the territories of France, have undergone, are insinuated in a very obscure manner, and at last there escapes an avowal of the engagement which the most Christian King had already made with Spain, "to avenge their respective wrongs, and put bounds to the tyrannical empire which England had usurped, and pretended to maintain over every sea."

It is difficult to encounter phantoms, or to answer closely and precisely to the language of declamation. The just confidence of the King, would doubtless desire to submit to the strictest examination, those vague complaints, those pretended wrongs, upon which the court of Versailles has so prudently avoided to explain itself, with that clearness and particularity which alone could support its reasons, and excuse its conduct. During a fifteen years peace, the interests of two powerful, and perhaps jealous nations, which ap-

proached in so many places in the old and new world, would inevitably furnish subjects of complaint and discussion, which a reciprocal moderation would always know how to settle, but which are but too easily sharpened and impoisoned by the real hatred, or affected suspicions, of a secret and ambitious enemy: and the troubles of America were but too apt to multiply the hopes, the pretexts, and the unjust pretensions of France. Nevertheless, such has been the ever uniform, and ever peaceable conduct of the King and his ministers, that it hath often silenced his enemies; and if it may be permitted to discover the true sense of these indefinite and equivocal accusations, whose studied obscurity betrays the features to shame and artifice—if it may be permitted of contested objects which have no existence, it may be affirmed with the boldness of truth, that several of these pretended injuries, are announced for the first time, in a declaration of war, without having been proposed to the court of London, at a time when they might have been considered with the serious and favourable attention of friendship. In respect to those complaints which the ambassadors of his most Christian Majesty have communicated from time to time to the King's ministers, it would be easy to give, or rather to repeat satisfactory answers, which would demonstrate, to the eyes of France herself, the King's moderation, his love of justice, and the sincerity of his disposition to preserve the general tranquillity of Europe. Those complaints, which the court of Versailles may dispense with recollecting, were very rarely founded

founded in truth and reason; and it was most generally found that those persons in Europe, America, or on the seas, from whom an ill-founded and suspected intelligence was derived, had not been afraid to abuse the confidence of France, the better to serve her secret intentions.

If some facts, which France enhanced as the ground of her complaints, were built on a less brittle foundation, the King's ministers cleared them without delay, by a most clear and entire justification of the motives and rights of their Sovereign, who might punish a contraband trade on his coast, without wounding the public repose; and to whom the law of nations gave a lawful right to seize all vessels which carried arms or warlike stores to his enemies, or rebellious subjects. The courts of justice were always open to individuals of all nations, and those must be very ignorant of the British constitution, who suppose that the royal authority was capable to shut out the means of an appeal. In the vast and extended theatre of the operations of a naval war, the most active vigilance, and the most steady authority, are unable to discover or suppress every disorder; but every time that the court of Versailles was able to establish the truth of any real injuries that its subjects had sustained, without the knowledge or approbation of the King, his Majesty gave the most speedy and effectual orders to stop an abuse, which injured his own dignity, as well as the interest of his neighbours, who had been involved in the calamities of war. The object and importance of this war will suffice to shew all Eu-

VOL. XXII.

rope, on what principles the political proceedings of England ought to be regulated. Is it likely, that whilst England employed her forces to bring the revolted colonies of America back to their duty, she should have chosen that moment to irritate the most respectable powers of Europe, by the injustice and violence of her conduct? Equity hath always governed the sentiments and conduct of the King; but on this important occasion, his very prudence is a warrant for his sincerity and moderation.

But to establish clearly the pacific system that subsists between the two nations, nothing more is wanting than to appeal to the very testimony of the court of Versailles. At the very time in which it doth not blush to place all these pretended infractions of the public peace, which would have engaged a Prince less sparing of his subjects blood, to make, without hesitation, reprisals, and to repel insult by force of arms, the minister of the most Christian King spoke the language of confidence and friendship. Instead of denouncing any design of vengeance, with that haughty tone, which at least spares injustice from the reproaches of perfidy and dissimulation, the court of Versailles concealed the most treacherous conduct under the smoothest professions. But those very professions serve, at present, to belie its declaration, and to call to mind those sentiments which ought to have regulated its conduct. If the court of Versailles is unwilling to be accused of a dissimulation unworthy of its grandeur, it will be forced to acknowledge, that till the moment that it dictated to the Marquis de

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Noailles, that declaration, which has been received as the signal of war, it did not know any grounds of complaint, sufficiently real or important, to authorize a violation of the obligations of peace, and the faith of treaties, to which it had sworn in the face of heaven and earth; and to disengage from that amity, to which, to the last moment, it had repeated the most solemn and lively assurances.

When an adversary is incapable of justifying his violence in the public opinion, or even in his own eyes, by the injuries which he pretends to have received, he has recourse to the chimerical danger to which his patience might have been exposed; and in the place of facts, of which he is totally unprovided, he endeavours to substitute a vain picture, which hath existence only in his own imagination, perhaps his own heart. The minister of the most Christian King, who seems to have felt the weakness of the means they were forced to employ, yet made impotent efforts to support those means, by the most odious and unaccountable suspicions. "The court of London made preparations in its ports, and armaments, which could not have America for their object. Their intention was, consequently, too well determined for the King to mistake them, and from thence it became their duty to make such dispositions, as were capable of preventing the evil designs of his enemy, &c.—In this state of affairs, the King found he had not a moment to lose." This is the language of *France*; now we will shew that of *truth*.

During the disputes which had

arisen between Great Britain and her colonies, the court of Versailles applied itself, with the most lively and determined ardor, to the augmentation of her marine. The King did not "pretend to reign as a tyrant of the seas," but knows that, at all times, maritime forces have constituted the glory and safety of his dominions; and that they have often protected the liberty of Europe, against the ambitious state, which hath so long laboured to subdue it.

A sense of his dignity, and a just knowledge of his duty and his interest, engaged his Majesty to watch, with an attentive eye, over the proceedings of France, whose dangerous policy, without a motive, and without an enemy, precipitated the building and arming of ships in all her ports; and which employed a considerable part of her revenues in the expence of those military preparations, the necessity or object of which it was impossible to declare. In that conjuncture the King could not avoid following the counsel of his friends, and the example of his neighbours. The succession of their maritime wars, as a rule for his; and wounding the respect due to friendly powers, declared publicly his sentiment, that England was a respectable strength. The naval force of France was carefully strengthened only to preserve the general tranquillity, whilst the deficiency of his science discredited to the court of Versailles.

have nothing to fear from the perfidious designs of its ambition. France now dares to suppose that the King, "instead of confining himself within the limits of a lawful defence, gave himself up to a hope of conquest, and that the reconciliation of Great Britain with her colonies, announced, on her part, a fixed project of re-allying them with her crown, to arm them against France." Since, then, that the court of Versailles cannot excuse its procedure, but in favour of a supposition destitute of truth and likelihood, the King hath a right to call upon that court, in the face of Europe, to produce a proof of an assertion as odious as bold; and to develope those public operations, or secret intrigues, that can authorise the suspicions of France, that Great Britain, after a long and painful dispute, offered peace to her subjects, with no other design than to undertake a fresh war against a respectable power, with which she had preserved all the appearances of friendship.

After having faithfully exposed the frivolous motives, and pretended wrongs of France, we can reflect, with a certainty, justified by reason and by fact, on the first proposition, so simple and so important—That a peace subsisted between the two nations, and that France was bound by every obligation of friendship and treaty with the King, who had never failed in his legitimate engagement.

The first article of the treaty signed at Paris, the 10th of February 1763, between his Britannic, most Christian, Catholic, and most Faithful Majesties, confirms, in the most precise and solemn

manner, the obligations which natural justice imposes on all nations which are in mutual friendship; but these obligations are specified and stipulated in that treaty by expressions as lively as they are just.—After having comprised, in a general form, all the states and subjects of the high contracting powers, they declared their resolution "not only never to permit any hostilities by land or sea, but even to procure reciprocally, on every occasion, all that can contribute to their mutual glory, interest, and advantages, without giving any succour or protection, directly or indirectly, to those who would do any prejudice to one or other of the high contracting parties." Such was the sacred engagement which France contracted with Great Britain; and it cannot be disguised, that such a promise ought to bind with greater strength and energy against the domestic rebels, than the foreign enemies of the two crowns. The revolt of the Americans put the fidelity of the court of Versailles to a proof; and notwithstanding the frequent examples that Europe hath already seen of its little regard to the faith of treaties, its conduct in these circumstances astonished and enraged every nation which was not blindly devoted to the interests, and even to the caprices of France. If France had intended to fulfil her duty, it was impossible for her to have mistaken it; the spirit as well as the letter of the treaty of Paris, imposed on her an obligation to bar their ports against the American vessels; to forbid her subjects to have any commerce with that rebellious people; and not

to afford either succour or protection to the domestic enemies of a crown with which she had sworn a sincere and inviolable friendship. But experience had too well enlightened the King in regard to the political system of his antient adversaries, to suffer him to hope that they would conform exactly to those just and reasonable principles, which would have assured a general tranquility.

As soon as the revolted colonies had completed their criminal enterprize, by an open declaration of their pretended independence, they thought to form secret connections with the powers who were the least favourable to the interests of their mother country; and to draw from Europe those military aids, without which it would have been impossible for them to have supported the war they had undertaken. Their agents endeavoured to penetrate into, and settle in the different states of Europe; but it was only in France that they found an asylum, hopes, and assistance. It is beneath the King's dignity to enquire after the æra, or the nature of the correspondence that they had the address to contract with the ministers of the court of Versailles, and of which the public effects were soon visible in the general liberty, or rather unbounded licence of an illegitimate commerce. It is well known that the vigilance of the laws cannot always prevent artful illicit traders, who appear under a thousand different forms, and whose avidity for gain makes them brave every danger, and elude every precaution: but the conduct of the French merchants, who furnished America not only with useful and

necessary merchandize, but even with saltpetre, gun-powder, ammunition, arms, and artillery, loudly declared that they were assured not only of impunity, but even of the protection and favour of the ministers of the court of Versailles.

An enterprize so vain and so difficult, as that of hiding from the eyes of Great Britain, and of all Europe, the proceedings of a commercial company, associated for furnishing the Americans with whatever could nourish and maintain the fire of a revolt, was not attempted. The informed public named the chief of the enterprize; whose house was established at Paris; his correspondents at Dunkirk, Nantz, and Bourdeaux, were equally known. The immense magazines which they formed, and which they replenished every day, were laden in ships that they built or bought, and they scarcely disguised their objects, or the place of their destination. These vessels commonly took false clearances for the French islands in America, but the commodities which composed their cargo were sufficient, before the time of their sailing, to discover the fraud and the artifice. These suspicions were quickly confirmed by the course they held; and at the end of a few weeks, it was not surprizing to hear they had fallen into the hands of the King's officers cruising in the American seas, who took them even within sight of the coasts of the revolted colonies. This vigilance was but too well justified by the conduct of those who had the luck or cunning to escape it; since they approached America only to deliver the rebels the

the arms and ammunition which they had taken on board for their service. The only marks of these facts, which could be considered only as manifest breaches of the faith of treaties, multiplied continually, and the diligence of the King's ambassador to communicate his complaints and proofs to the court of Versailles, did not leave him the shameful and humiliating resource of appearing ignorant of what was carried on, and daily repeated in the very heart of the country. He pointed out the names, number, and quality of the ships, that the commercial agents of America had fitted out in the ports of France, to carry to the rebels arms, warlike stores, and even French officers, who had engaged in the service of the revolted colonies. The dates, places and persons were always specified, with a precision that afforded the ministers of his most Christian Majesty the greatest facility of being assured of these reports, and of stopping in time the progress of these illicit armaments. Amongst a croud of examples, which accuse the court of Versailles of want of attention to fulfil the conditions of peace, or rather its constant attention to nourish fear and discord, it is impossible to enumerate them all; it is very difficult to select the most striking objects. Nine large ships, fitted out and freighted by the Sieur de Beaumarchais, and his partners, in the month of January, 1777, are not confounded with the *Amphitrite*, who carried about the same time a great quantity of ammunition, and thirty French officers, who passed with impunity into the service of the rebels. Every month, almost every day, furnished new subjects

of complaint; and a short memorial that Viscount Stormont, the King's ambassador, communicated to the Count de Vergennes, in the month of November, in same year, will give a just, but very imperfect idea of the wrongs which Britain had so often sustained. — There is a sixty gun ship at Rochfort, and an East India ship, pierced for sixty guns, at L'Orient. These two ships are destined for the service of the rebels. They are laden with different merchandize, and freighted by Messrs. Chaumont, Holken, and Sebatier. — The ship *L'Heureux*, sailed from Marseilles the 26th of September, under another name: she goes freight to New Hampshire, though it is pretended she is bound to the French islands. They have been permitted to take on board three thousand musquets, and 25000 pounds of sulphur, a merchandise as necessary to the Americans as useless to the islands. This ship is commanded by M. Lundi, a French officer of distinction, formerly lieutenant to M. de Bouganville. — *L'Hippopotame*, belonging to the Sieur Beaumarchais, will have on board four thousand musquets, and many warlike stores for the use of the rebels. — There are about fifty French ships laden with ammunition for the use of the rebels, preparing to sail to North America. They will go from Nantz, L'Orient, St. Malo, Havre, Bourdeaux, Bayonne, and other different ports. — These are the names of some of the persons principally interested; M. Chaumont, M. Menton, and his partners, &c. &c.

In this kingdom, where the will of the Prince meets with no obstacle, succours, so considerable, so public,

public, so long supported; in fine, so necessary to maintain the war in America, shew clearly enough the most secret intentions of the most Christian King's ministers. But they still carried further their forgetfulness, or contempt of the most solemn engagements, and it was not without their permission that an underhand and dangerous war issued from the ports of France, under the deceitful mask of peace, and the pretended flag of the American colonies. The favourable reception that their agents found with the ministers of the court of Versailles, quickly encouraged them to form and execute the audacious project of establishing a place of arms in the country, which had served them for an asylum. They had brought with them, or knew how to fabricate letters of marque, in the name of the American Congress, who had the impudence to usurp all the rights of sovereignty. The partnership, whose interested views easily embarked in all their designs, fitted out ships that they had either built or purchased. They armed them to cruise in the European seas, nay, even on the coasts of Great Britain. To save appearances, the captains of these corsairs hoisted the pretended American flag, but their crews were always composed of a great number of Frenchmen, who entered, with impunity, under the very eyes of their governors and the officers of the maritime provinces. A numerous swarm of these corsairs, animated by a spirit of rapine, sailed from the ports of France, and after cruising in the British seas, re-entered, or took shelter in the same ports. Thither they brought their

prizes, and under a rude, weak artifice, which they sometimes vouchsafed to employ, the prizes were sold publicly and commodiously enough, in the sight of the royal officers, always disposed to protect the commerce of those traders, who violated the laws, to conform to the French ministry. The corsairs enriched themselves with the spoils of the King's subjects; and after having profited of full liberty to repair their losses, provide for their wants, and procure all warlike stores, gunpowder, cannon, and rigging, which might serve for new enterprizes, they departed freely from the same ports, to make new cruizes. The history of the Reprisal privateer may be cited from a crowd of examples, to set the unjust, but scarcely artificial, conduct of the court of Versailles in a clear light. This ship, which had brought Mr. Franklin, agent of the revolted colonies, to Europe, was received, with two prizes she had taken in her passage. She remained in the port of Nantz, as long as she thought convenient; put twice to sea to plunder the King's subjects, and came quietly into L'Orient with the new prizes she had made.

Notwithstanding the strongest representation of the King's ambassador; notwithstanding the most solemn assurances of the French ministers, the captain of that corsair was permitted to stay at L'Orient as long as it was necessary to refit his ship, to provide sixty barrels of gunpowder, and to receive as many French seamen, as chose to engage with him. Furnished with these reinforcements, the reprisal sailed a third time from the ports of their new allies, and

and presently formed a little squadron of pirates, by the concerted junction of the Lexington and the Dolphin, two privateers; the first of which had already carried more than one prize into the river of Bourdeaux; and the other, fitted out at Nantz, and manned entirely by Frenchmen, had nothing American, but the commander. These three ships, which so publicly enjoyed the protection of the court of Versailles, in a short time afterwards took fifteen British ships, the greatest part of which were brought into the ports of France, and secretly sold.—Such facts, which it would be easy to multiply, stand instead of reasonings and reproaches. The faith of treaties cannot avoid being called upon, on this occasion; and it is not necessary to shew that an allied, or even a neutral power, can ever permit war, without violating peace. The principle of the law of nations, will, doubtless, refuse to the ambassador of the most respectable power that privilege of arming privateers, which the court of Versailles granted under-hand, in the very bosom of France, to the agents of rebels. In the French islands, the public tranquility was violated in a manner yet more audacious; and notwithstanding the change of the governor, the ports of Martinico served always as a shelter to corsairs who cruized under American colours, but manned by Frenchmen. Mr. Bangham, agent for the rebels, who enjoyed the favour and confidence of two successive governors of Martinico, directed the arming of those privateers, and the public sale of their prizes. Two merchant ships, the Lancashire Hero, and the Irish

Gambier, which were taken by the Revenge, assures, that out of her crew, consisting of 125 men, there were but two Americans; and that the owner, who at the same time was proprietor of eleven other privateers, acknowledged himself to be an inhabitant of Martinico, where he was looked upon as the favourite, and the secret agent of the governor himself.

In the midst of all these acts of hostility, (which it is impossible to call by any other name) the court of Versailles continued always to speak the language of peace and amity, and its ministers exhausted all the sources of artifice and dissimulation, to lull the just complaints of Great Britain, to deceive her just suspicions, and to stop the effects of her just resentment. From the first era of the American troubles, to the moment of a declaration of war by the Marquis de Noailles, the ministers of the most Christian King never ceased to renew the strongest and most expressive protestations of their pacific dispositions; and however the common conduct of the court of Versailles was adapted to inspire a just doubt, yet his Majesty's just heart furnished him with powerful motives to believe, that France had at length adopted a system of moderation and peace, which would perpetuate the solid and reciprocal happiness of the two nations. The ministers of the court of Versailles endeavoured to excuse the arrival and residence of the rebels agent, by the strongest assurances, that he found only a simple asylum in France, without either distinction or encouragement.

The freedom of commerce, and the thirst of gain, serve sometimes

as pretexts to cover the illegitimate designs of the subjects of France; and at a time when they vainly alledged the impotence of the laws to prevent abuses, which neighbouring states know so well how to suppress, they condemned, with every appearance of sincerity, the transportation of arms and ammunition, which she permitted with impunity, for the service of the rebels. To the first representation of the King's ambassador upon the subject of the privateers, which were fitted out in the ports of France under American colours, the ministers of his most Christian Majesty replied, with expressions of surprise and indignation, and by a positive declaration, that attempts, so contrary to the faith of treaties, and the public tranquillity, should never be suffered. The train of events, of which a small number hath been shewn, soon manifested the inconstancy, or rather the falsehood of the court of Versailles; and the King's ambassador was ordered to represent to the French ministers the serious, but inevitable consequences of their policy. He fulfilled his commission with all the consideration due to a respectable power, the preservation of whose friendship was desired, but with a friendship worthy of a Sovereign, and a nation little accustomed to do, or to suffer injustice. The court of Versailles was called upon to explain its conduct, and its intentions, without delay or evasion; and the King proposed to it the alternative of peace or war.—France chose peace, in order to wound her enemy more surely and secretly, without having any thing to dread from her justice. She severely condemned

those succours and those armaments, that the principles of public equity would not permit her to justify. She declared to the King's ambassador, that she was resolved to banish the American corsairs immediately from all the ports of France, never to return again; and that she would take, in future, the most rigorous precautions to prevent the sale of prizes taken from the subjects of Great Britain. The orders given to that effect astonished the partizans of the rebels, and seemed to check the progress of the evil; but subjects of complaint sprung up again daily; and the manner in which these orders were first eluded, then violated, and at length entirely forgotten, by the merchants, privateers, nay, even by the royal officers, were not excusable by the protestations of friendship, with which the court of Versailles accompanied those infractions of peace, until the very moment that the treaty of alliance, which it had signed with the agents of the revolted American colonies, was announced by the French ambassador in London.

If a foreign enemy, acknowledged by all the powers of Europe, had conquered the King's American dominions, and if France had confirmed by a solemn treaty, an act of violence, that had plundered in the midst of a profound peace, a respectable neighbour, of whom she styled herself the friend and ally, all Europe would stand up against the injustice of a conduct which shamefully violated all that is most sacred among men. The first discovery, the uninterrupted possession of two hundred years, and the consent of all nations,

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were sufficient to ascertain the rights of Great Britain over the lands of North America, and its sovereignty over the people that had settled there with the permission, and under the government of the King's predecessors. If even this people had dared to shake off the yoke of authority, or rather of the laws, if they had usurped the provinces and prerogatives of their Sovereign; and if they had sought the alliance of strangers to support their pretended independence; those strangers could not accept their alliance, ratify their usurpations, and acknowledge their independence, without supposing that *revolt* hath more extensive rights than those of *war*; and without granting to rebellious subjects a lawful title to conquest, which they could not have made but in contempt of both law and justice. The secret enemies of peace, of Great Britain, and perhaps of France herself, had nevertheless the criminal dexterity to persuade his most Christian Majesty, that he could, without violating the faith of treaties, publicly declare, that he received the revolted subjects of a King, his neighbour and ally, into the number of his allies. The professions of friendship which accompanied that declaration, which the Marquis de Noailles was ordered to make to the court of London, only serve to aggravate the injury by the insult; and it was reserved for France to boast of pacific dispositions in the very instant that her ambition instigated her to execute and avow an act of perfidy, unexampled in the history of nations. Yet, such as the court of Versailles dares allow itself to use, "Yet it would be wrong to

believe that the acknowledgment that the King has made of the independence of the Thirteen United States of North America, is what has enraged the King of England: that Prince is, without doubt, not ignorant of all the examples of the like kind that the British annals, even of his own reign, do furnish."—But these pretended examples do not exist.—The King never acknowledged the independence of a people, who had shaken off the yoke of their lawful Prince; it is doubtless very afflicting that the ministers of his most Christian Majesty, have cheated the piety of their Sovereign, to cover, with so respectable a name, assertions without any foundation or likelihood, which are contradicted by the memory of all Europe.

At the commencement of the disputes which arose between Great Britain and her colonies, the court of Versailles declared, that it did not pretend to be a judge of the quarrel, and its ignorance of the principles of the British constitution, as well as the privileges and obligations of the colonies, ought to have engaged it to persist always in such a wise and modest declaration, that would have spared it the shame of transcribing the manifestos of the American Congress, and of pronouncing now, "That the proceedings of the court of London had compelled its antient colonies to have recourse to arms for the maintenance of their rights, their privileges, and their liberty." These vain pretensions have been already refuted in the most convincing manner, and the rights of Great Britain over that revolted people, her benefactions, and her long patience, have been already

already proved by reason and by facts. It is sufficient here to remark, that France cannot take any advantage of the injustice with right, and in fact is the object of dispute. And the King's dignity will not permit him to accept of those proposals, which, from the very beginning of a negotiation, grants all that can satisfy the ambition of the rebellious Americans, whilst they exact from his Majesty, without any stipulation in his favour, that he should desist, for a long or indefinite term, from his most lawful pretensions. It is true, the court of Versailles vouchsafed to consent, that the court of London might treat with the Congress, either directly, or by the intervention of the King of Spain. His Majesty, certainly, will not so much demean himself as to complain of that insolence, which seems to grant him, as a favour, the permission of treating directly with his rebellious subjects. But the Americans themselves are not blinded by passion and prejudice, they will see clearly in the conduct of France, that their new allies will soon become their tyrants, and that that pretended independence, purchased at the price of so much misery and blood, will be soon subjected to the despotic will of a foreign court.

If France could verify that eagerness which she attributes to the court of London, to seek the mediation of Spain, a like eagerness would serve to prove the King's just confidence in the goodness of his cause, and his esteem for a generous nation which hath always despised fraud and perfidy. But the court of London was obliged

to own, that the mediation was offered to it by the ministers of the Catholic King, and it claims no other merit, than that of having shown, on all occasions, a lively and sincere inclination to deliver its subjects, nay even its enemies from the scourge of war. The conduct of the court of Madrid, during that negotiation, soon shewed the King that a mediator, who forgets his own dearest interests, to give himself up to the ambition, or resentment of a foreign power, must be incapable of proposing a safe or honourable accommodation. Experience confirmed these suspicions; the unjust and inadmissible scheme just mentioned, was the sole fruit of this mediation. In the same instant that the ministers of the Catholic King offered, with the most disinterested professions, his capital, his good offices, his guaranty, to facilitate the conclusion of the treaty, they suffered to appear from the bottom of obscurity new subjects for discussing, particularly relative to Spain, but upon which they always refused to explain themselves. His Majesty's refusal to accede to the *ultimatum* of the court of Madrid, was accompanied with all convenient precautions and respect: and, unless that court will arrogate to itself a right to dictate conditions of peace to an independent and respectable neighbour, there was nothing passed in that conjuncture, which ought to have altered the harmony of the two crowns. But the offensive measures of Spain, which she could never cloath with the fairest appearances of equity, will soon show that she had already taken her resolutions; had been instigated by the French ministry,

nistry, who had only retarded the declaration of the court of Madrid, from the hope of giving a mortal blow to the honour and interest of Great Britain under the mask of friendship.

Such are the unjust and ambitious enemies, who have despised the faith of treaties, to violate the public tranquillity, and against whom the King now defends the rights of his crown and people. The event is yet in the hands of the Almighty; but his Majesty, who relies upon the divine protection, with a firm but humble assurance, is persuaded that the wishes of Europe will support the justice of his cause, and applaud the success of his arms, which have no other object than to establish the repose of nations on a solid and unshaken basis.

But France herself appears to feel the weakness, the danger, and the indecency of these pretensions; when, in the declaration of the Marquis de Noailles, as well as in her last manifesto, she quits her hold on the right of independence: she is content to maintain, that the revolted colonies enjoy *in fact*, that independence they have bestowed on themselves; that even England herself, in some sort acknowledges it, in suffering acts of sovereignty to subsist; and that therefore France, without any violence of peace, might conclude a treaty of friendship and commerce with the United States of North America. — Let us see in what manner Great Britain had acknowledged that independence, equally imaginary in right, as in fact. Two years had not yet elapsed from the day in which the rebels declared their criminal resolution of

shaking off the yoke of their mother country; and that time had been occupied by the events of a bloody and obstinate war. Success had hung in suspense, but the King's army, which possessed the most important maritime towns, continue always to menace the interior provinces. The English flag reigned over all the American seas, and the re-establishment of a lawful dependence, was fixed as the indispensable condition of the peace, which Great Britain offered to her revolted subjects, whose rights, privileges, nay even whose prejudices she respected. The court of Versailles, which announced, with so much openness and simplicity, the treaty signed with the pretended States of America, which it found in an independent situation, had alone contributed, by its clandestine succours, to foment the fire of revolt; and it was the dread of peace that engaged France to employ the rumour of that alliance, as the most effectual means to inflame the minds of the people who began already to open their eyes upon the unfortunate consequences of the revolt, the tyranny of their new leaders, and the paternal disposition of their lawful Sovereign.

Under such circumstances it is impossible, without insulting in too gross a manner both truth and reason, to deny that the declaration of the Marquis of Noailles, of the 13th of March, 1778, ought to be received as a true declaration of war on the part of the most Christian King; and the assurances "that he had taken eventual measures, in concert with the United States of America, to maintain a freedom of commerce," which had so often excited the just complaints of Great

Great Britain, authorised the King, from that moment, to rank France in the number of his enemies. The court of Versailles could not avoid acknowledging that the King of England, after having "recalled his ambassador, denounced to his parliament the measures taken by his Majesty, as an act of hostility, as a formal and premeditated aggression." Such was, indeed, the declaration which both honour and justice demanded from the King, and which he communicated, without delay, to the ministers of the different courts of Europe, to justify before-hand the effects of a lawful resentment. From thence it is useless to seek for orders, that were sent to the East-Indies, to remark the precise day when the fleets of England or France quitted their respective ports, or to scrutinize into the circumstances of the action with the *Belle Peule*, and the taking two other frigates, which were actually carried off in sight of the very coast of France. Hence the reproach made to the King of having so long suspended a formal declaration of war, vanishes of itself. These declarations are only the measures that nations have reciprocally agreed on, to avoid treachery and surprise; but the ceremonies which announce the terrible exchange of peace for war, the heralds declarations and manifestos are not always necessary, are not always alike. The declaration of the Marquis de Noailles was a signal of the public infraction of the peace. The King directly proclaimed to all nations that he accepted the war which France offered; the last proceedings of his Majesty were rather the spring of

his prudence, than his justice, and Europe may now judge if the court of London wanted means to "justify a declaration of war, and if she did not dare to accuse France, publicly, of being the aggressor."

Three Memorials from the Dutch Merchants to the States General, presented Sept. 12th, 1778.

To their High Mightinesses the States General of the United Provinces.

A M E M O R I A L,

Respectfully delivered from the Merchants, Proprietors of Vessels, and Exchange Insurers, of the Town of Amsterdam.

THAT it cannot be unknown to your High Mightinesses in what manner, for these several weeks past, a considerable number of vessels belonging to the inhabitants of this republic, bound for the ports of France, have been stopped in their passage by the ships of his Britannic Majesty, and other commissioned vessels belonging to his subjects; and that, although our captains have proved that their ships belonged to the subjects of this republic, and were not laden with contraband goods, they have, notwithstanding, been seized and conducted into the different ports of Great Britain, where they are yet detained, without the letters of recommendation written to Count Welderen, your Envoy Extraordinary and Plenipotentiary at the court of Great Britain, and granted by your High Mightinesses at the solicitations of many persons interested in
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the above vessels, in order to reclaim and effect their speedy enlargement, having produced the least effect, but, on the contrary, the English continue to seize our vessels more than ever, which seems to announce a plan formed by the English nation to totally prevent the navigation and commerce of the inhabitants of this republic with the ports of France.

That, in consequence, if these proceedings of the British nation continue, they will, no doubt, operate to the total ruin of the commerce and navigation of this republic in general, and also to the ruin of several private persons interested therein, either as proprietors of the vessels, or of the cargoes, or as insurers, and which will occasion them a considerable injury.

From these considerations your memorialists have judged it necessary to lay their injuries, as legal as well founded, before your High Mightinesses, and to implore your relief. The memorialists consider it as superfluous to endeavour to prove more amply to your High Mightinesses the injustice of such seizures and detentions, since it is known to you, that by the naval treaty concluded between the court of Great Britain and the republic, on the 11th of September, 1674, the following, as the first article, is stipulated: "that it shall be permitted, and is legal, for the subjects of the respective nations to navigate *with liberty and safety*, to deal and negotiate in *all kingdoms and countries*, where the respective Sovereigns are at peace, neutrality and friendship, and in such a manner, that their navigation and commerce may be neither hinder-

ed or molested, neither by any violence of people who carry on war, nor by the ships of war or other vessels whatsoever, under pretence of any hostility or malice which may arise between one of the sovereign powers and the nations with which the other is in peace or neutrality."

And this liberty of navigation and commerce is also determined by the second article of the same treaty, by which it is agreed, "not to suffer that it shall be made the least hindrance of any branch of commerce, on account, or by reason of a war; but on the contrary, to extend this liberty to all sorts of merchandize, which was accustomed to be sold in times of peace, excepting only goods comprized under the denomination of contraband, and which are specified by a subsequent article."

Your High Mightinesses are not less ignorant, that by the point or article fixed on, and concluded the 30th of Dec. 1675, at the Hague, between Sir William Temple, ambassador extraordinary from the King of Great Britain, and the deputies of your High Mightinesses, it is specially explained, "that the true sense of the above articles of the treaty concluded the 11th of September, 1674, is, and ought to be, that since the conclusion of the above articles, the vessels and ships belonging to the subjects of the two contracting powers, should and may *navigate, trade, and negotiate*, not only from a neutral place to a place at war with either of the two nations, but from a place at war to a neutral place, whether or not the two places belong to the same Sovereign

reign or State, or to different States and Sovereigns with which either of the two contracting powers may be at war."

It will not be difficult for your memorialists to prove in the most convincing manner, as well by solid reasons, as by the authority of the best authors, who have written on the law of nations, and the judgment of civilized States in general, as also by the common rights of men, and without the necessity of any treaty or alliance; that in case of war between two powers, the subjects of that State in peace or neutrality with the belligerent powers, ought to enjoy the liberty of an uninterrupted commerce, and without being tied down by all the powers who are at war, and without meeting with the least obstacle under any pretext whatever; except in cases where neutral nations would supply the belligerent powers with warlike stores or other contraband goods, or are endeavouring to negotiate with places besieged or blockaded.

Your memorialists, therefore, consider it as superfluous to call your attention to such an object, seeing that the law of nations hath obtained the strictest sanction by the treaty concluded between this republic and England. That consequently it is not a question what ought to be the case between two nations who have not any reciprocal alliance, but that it is only to be considered, what treatment the inhabitants of this republic have a right to expect on the part of the subjects of Great Britain, since the alledged treaty still subsists, and was concluded on, as it is well known to your High Migh-

tinesses, in a time when this state was at war with France; and that consequently it was principally dictated by the English, in order to *procure them a free navigation to and from the several ports of France.* Since then the English nation were the first who reaped the fruits of that convention, they ought not to prevent the subjects of this republic from profiting in their turn of the advantages of a free navigation and commerce, which they stipulated in themselves, and which they have enjoyed as they have found it convenient. And this objection ought to appear the better founded, as the stipulations in the treaty agreeing with the law of nations, ought to be a consideration of the greatest weight with a nation which would wish to preserve any pretensions to reason and equity, and that would not violate in any point the faith of a treaty so solemn as the above-mentioned.

The memorialists, therefore, hope, that by the efficacy of these reasons, the injustice will appear to your High Mightinesses, as well of making those prizes as the manner of carrying away the vessels of the inhabitants of this republic, navigated from a third place to the ports of France, or from one port of the same kingdom to another, without considering what or who he is, who ought to be considered as proprietor of the cargo.

That this injustice carries such a demonstrative proof, that neither the proprietors nor the sharers of the vessels ought, on that head, to begin making by instituting a process; but that it belongs to *his Britannic Majesty to give immediate orders,*

ders, as well to the commanders of ships of war as to those of the letters of marque, that they no longer cause the least injury, nor any longer seize the ships or vessels belonging to this State; but, on the contrary, that they shall be bound directly to repair the injuries already done, and make good the damages already sustained, since they can no longer pretend the necessity of a judicial examination, before having decided previously on the validity of the captures, and that it is otherwise evident, or at least ought to be so, that the commission for seizing the ships and effects belonging to an enemy, cannot concern the subjects of a power with whom they are bound by treaty, and according to which the navigation and commerce should be free; and that there is, besides, a right that the ship should protect the cargo; nothing being so certain, that in such circumstances, the least obstruction given to a ship is an act of the most daring injustice; that of course, the dangerous consequences brought on by so flagrant a violation of the law of nations cannot be repaired, although the ships should be afterwards released, and damages should be awarded.

Besides the justice of these assertions, and the validity of these complaints, the taking of ships bound for the ports of France, not only induces your memorialists to solicit your High Mightinesses to interpose, and even to *insist on immediate reparation* for damages already sustained, and security for what may accrue. Your memorialists also cannot dispense with respectfully laying open to your High Mightinesses the lamentable consequences which will result to the merchants, and of course to

the state in general, in case the vessels and ships of the subjects of this republic cannot be guarded against what are little short of *acts of piracy*.

In effect, the seizure of the ships not only occasions to the proprietors a prejudice and considerable damage, and oppresses them in many respects by very large expences, but the stopping even of merchandize, and the danger and spoil of goods, to which they are subject; the possibility of the fall of the price of markets, as well as other events, are also very prejudicial to the above proprietors, and others interested therein; and if still by such proceedings, and against all remonstrance, the English will pretend that the goods embarked are from that moment to be considered as French property, and subject to confiscation, the consequences of so unjust a supposition will infallibly cause the entire ruin of many insurers in this country; and it will be the more unjust, as the vessels hitherto seized, or liable to be seized, have had all their cargoes insured in a time when there was not the least hostility commenced between France and Great Britain, which alone gives a sufficient reason why those ships *should not be seized*, much less should they be declared legal prizes.

Further, without estimating the damage which necessarily must befall on the several persons interested in ships seized, or exposed to seizure, the consequences of a seizure so unjust as that of Dutch ships, destined for the ports of France, will have the most dangerous influence on the commerce and navigation of the republic in general, since not only the inevitable effect will

will be the absolute ruin of all commerce with France, but the more so, as all the other nations, which until this time have employed, and will again employ Dutch ships to transport their merchandize to the ports of France, or other places, will be deprived of employing for the future, ships exposed to be detained or made prizes of.

These premises will afford a vast ground of speculation, when it will please your High Mightinesses to reflect, that notwithstanding his Most Christian Majesty, by the first article of his regulations, concerning the navigation of neutral ships in times of war, under the date of July 26, 1778, has voluntarily forbidden all his privateers and ships, to stop or seize any ship belonging to neutral powers, even sailing from, or bound to, the enemy's ports, excepting only blockaded places, and ships laden with contraband goods; judging it proper, nevertheless, to declare, that his Majesty reserves the right of revoking this liberty, in case the power at war with him doth not think it proper to extend the same favour, before the expiration of six months, to be computed from the date when the above regulations were published. According to this, it may then happen that his Christian Majesty, in making reprisals, would also limit the franchise of the ships of this state, when the memorialists, and other inhabitants of the republic, will see your Mightinesses entirely deprived of their commerce and navigation with the two kingdoms and their dependencies, and in this manner supporting, however unjustly, the vigo-

rous effects of war, the same as if this republic was actually concerned therein.

However matters may terminate, your memorialists deem it needless to shew to your High Mightinesses the horrible result of such a commercial decline, for all the inhabitants of this country in general, seeing that by commerce the republic is aggrandized; that in trade she finds the most solid benefits, and that if her commerce perishes, she will soon find herself on the brink of destruction. What is still further to be apprehended, when we have reflected on the unjust proceedings on the part of the English, the navigation and commerce between this country and France, and very likely by an inevitable rupture with England, both will be totally prevented, it may furnish occasion to other kingdoms to carry on our trade, of which, against all reason and justice, the usage will be forbidden to the inhabitants of this republic, whilst frequent examples, founded on most woeful experience, will teach us, that one time or other, by a certain concurrence of circumstances, one branch of commerce taken away, can never return into its ancient course.

Prompted thus by every motive that can be alledged, your memorialists respectfully address your High Mightinesses, that it may please them to prevent and restore the damages done to the merchants of this country, by the seizure of her ships bound for the ports of France, by the English nation, *against the faith of treaties, in open violation of the law of nations, in opposition to natural equity.* In short, to prevent for the future such extraordinary

traordinary proceedings, to maintain the rights and privileges of the several inhabitants of this State, which they hold from God and nature, and on which the English nation are bound by the most solemn treaties to make no infractions.

That it will please your High Mightinesses to provide speedily and efficaciously, as well by the most serious representations to the Court of England, on the subject of the disorders committed, and to prevent their consequences, by giving a sufficient protection, by the means of the ships of war, to the commerce and navigation of this country, in such a manner as your High Mightinesses, inspired by your acknowledged wisdom, and animated by paternal regard and zeal for the prosperity of this republic, shall judge proper.

*To their High Mightinesses the
States General of the United
States.*

A M E M O R I A L,

*Respectfully presented by the Mer-
chants and Owners of Ships of the
Town of Rotterdam.*

THAT very lately a considerable number of ships belonging to the inhabitants of this State, and bound for France, have been stopped at sea either by the ships of the royal marine of England, or by commissioned ships of the same nation, and afterwards carried into the ports of Great Britain, where they continue to be detained, notwithstanding the bare

VOL. XXII.

inspection of the consignments and other papers found on board the above ships would sufficiently shew *that they were not laden with any sort of merchandize under the denomination of contraband goods*, specified by the third article of the Marine Treaty, concluded in the month of December, 1674, between the Court of Great Britain and this republic.

That this conduct of the British nation, the *flagrant injustice of which might be very easily proved by an appeal to the laws of nations*, if it be not already evident, as well by the aforesaid treaty as by the *Explanatory Convention of 1675*, will infallibly accelerate the entire ruin of the commerce and navigation of the United Provinces, if not timely and efficaciously prevented.

Notwithstanding the many arguments that might be urged, your memorialists will not trouble your High Mightinesses with all the reasons they have to alledge in proof that the destruction of our commerce and navigation must follow, as the unavoidable consequence of the unjust proceedings of the English, our neighbours, of which there is no occasion of any further proof, it having already been fully represented to your High Mightinesses.

Your memorialists therefore only assume the liberty of observing in very few words, that by the seizure of their ships, although they may afterwards be released even with indemnity, the necessary delays in such cases are yet highly prejudicial, and totally ruinous to the merchants of these provinces.

That, during the detention of the merchandize, the commodities
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are exposed to the injury of the fall of markets, and the merchants are, besides, in that interval, deprived of the opportunity of furnishing themselves in return with such goods as they intended when the first cargoes arrived at their destined ports.

In short, the Dutch ships employed for the transportation of merchandise to France and elsewhere, being detained, will, without doubt, (the result of such proceedings out of the question) occasion fewer numbers to be hired in such service for the future.

That this seizure and detention are not only in themselves sufficient entirely to ruin our commerce and navigation, but that this ruin will be more rapidly brought on, whenever it shall please the English nation to make a second stride of injustice, and having seized the ships bound for our French merchants, or from France to this State, they have only to declare them legal prizes.

That this prospect is still more deplorable, when your memorialists reflect on the regulation given by his Christian Majesty, on the 26th of July last, concerning the navigation of *neutral ships*; because, although that Monarch therein *forbids* the stoppage and seizure of neutral ships, bound to or from an enemy's port, he nevertheless reserves to himself a right of revoking that edict, in case any foreign power *should not agree to the same regulation respecting neutral ships*. From hence it necessarily results, that, if the English continue to detain and seize our ships coming from France, or going thereto, we may expect the same treatment from the French with regard to

our ships coming from, or going to Great Britain, and by these means, and to the total ruin of these States, they will be deprived of the benefits of commerce and navigation with both countries.

Your memorialists, therefore, flatter themselves that your High Mightinesses will find these reasons sufficiently conclusive to justify the presentation of this memorial, as also that your High Mightinesses will take such measures, dictated by your usual wisdom, and agreeable to the protection of the commerce and navigation of these provinces, in order to save them from that total ruin with which they are now threatened.

To their High Mightinesses the States General of the United Provinces.

A M E M O R I A L,

Respectfully delivered from the Merchants, Proprietors of Vessels, and Exchange Insurers, of the Towns of Amsterdam, Rotterdam, and Dordrecht.

THAT the unjust procedure of interrupting the navigation and commerce of the inhabitants of this republic, for a considerable time past, by *English commissioned ships*, as well as by the ships and officers of his Britannic Majesty, has put many proprietors and others, whose ships and goods have been seized, under the indispensable necessity of calling upon the intercession, and entreating the fatherly protection of your High Mightinesses, in order to obtain a release of the ships and cargoes which have been

been thus unjustly captured, and detained.

That besides a great number of merchants established in these towns, as well as others throughout the provinces, having presented a respectful address to your High Mightinesses, to see those evils redressed, of which, with great reason, they think they have a right to complain, your memorialists flattered themselves, that your High Mightinesses letters of recommendation to *Count Welderen*, your Envoy Extraordinary and Plenipotentiary at the Court of Great Britain, sent at the request of the reclaimants, as well as by a general notification addressed by your High Mightinesses to *Count Welderen*, in order for him to present without delay the most serious remonstrances in the name of your High Mightinesses, as well to his Britannic Majesty, as to his Ministers, (in which your memorialists acknowledged with gratitude the paternal care of your High Mightinesses, for the welfare of the inhabitants of this state) that, we expected, the said letters of recommendation would have produced the desired effect; that is to say, that the ships so stopped and so unjustly seized, with their cargoes, would have been immediately set at liberty.

That the expences, damages, and interests occasioned by their detention, would have been defrayed to the sufferers, and that the inhabitants of this state would have received the necessary assurances, that they could have continued to carry on their navigation and commerce with that freedom and safety which they have a right to expect, as well from the com-

mon rights of nature, as by the most solemn treaties which now exist between Great Britain and this Republic; and that your memorialists would then have had every reason to believe, that the violence hitherto committed, were the acts of private persons, and committed without the order or permission of the King of Great Britain, and that so far from avoiding them, his Britannic Majesty, according to his acknowledged equity, would not have made the least difficulty of immediately remedying them, especially after he had received our just complaints from the hands of your High Mightinesses.

That notwithstanding your memorialists, with great regret, perceive that all the representations made by, or on the part of your High Mightinesses on this subject, have only produced an injunction from the Lords of the English admiralty, to release the ships which were not laden with timber or rigging, but not that for the future, such of our ships as might be laden with the under-mentioned articles should be indemnified from capture, and so far from allowing the least damages to the sufferers concerned in the small number of ships which have been released, the English continue daily to detain such of our vessels as are laden with masts, planks, hemp, and other articles for ship building, coming from the Baltic, and bound to France.

Your memorialists are also informed, that the intentions of the British Ministry are to order a confiscation of the lading of all ships whose cargoes they shall deem to belong to France; or rather, in this

case, where they shall think that the French have not an interest in the vessels, to order them to be released, but to retain the cargo, reimbursing only the value, and paying only the freightage of the ships according to the sums awarded.

Under this consideration, as they cannot but allow, that on the one hand this mode of arguing, and this manner of acting, by the British Ministry, are diametrically opposite to the reciprocal obligations which bind the two nations, the rights of men, as sanctioned by the laws of nature and nations, as well as to the marine treaty of the 11th of December, 1674, in particular; on which, notwithstanding this republic hath not on her part made the least infraction, and that such procedures must evidently wound and even destroy those rules of equity and good faith, from which civilized nations ought not to depart; so, on the other hand, if the English Ministry should obstinately persist in such an unjust conduct, the consequences must necessarily bring on, not only the total ruin of a great number of your memorialists, who are immediately interested, but also the intire decline of the commerce and navigation of all the inhabitants of this country, on which the welfare, prosperity, and preservation of the state entirely depend.

These evils have been exemplified in former times, but particularly in the years 1746, 1747, and 1748, and from 1756 to 1758. In the first period we may estimate a loss of upwards of *twenty millions*, caused by the English on the commerce and navigation of

this State; and during the second period, near *twelve millions*, which is sufficiently proved by the printed records of those times, and which are laid before your High Mightinesses.

Besides, the value of the cargoes contained in the ships now actually detained in England, amount already to a very considerable sum, which is not only excluded from circulation, but the total loss of it, or of great part of it, if such proceedings continue under the frivolous pretext that it belongs to the French, and is, under that description, to be confiscated, will fall almost entirely on the Dutch merchants, assurers, &c. to which we must again add, the prodigious damage occasioned to the owners of ships by the delay of such vessels, the continuance of wages and provisions during the detention, as well as the stoppage of the navigation during the interval.

Further, the seamen on board such vessels, and who are so essential to this republic, will either escape or *be seduced into the service of Great Britain*. In short, if the inhabitants of this republic are prevented from freely navigating in a manner agreeable to the faith of treaties, their vessels will be less employed than the ships of any other nation, on whom the English dare not impose the same restrictive law; consequently the ships of the latter will be employed in transporting the goods and merchandize, the exportation and vend of which, interests as much the inhabitants of the north, as their beneficial importation from the south of Europe.

The consideration of all these objects collectively determined
your

your memorialists again to address your High Mightinesses, and to implore once more your sovereign and efficacious protection. Their memorials are founded upon well grounded apprehensions of inevitable ruin, not only to themselves, but to the State at large, if the English Ministry obstinately persist in their present proceedings towards our ships.

Finally, your memorialists firmly believe, *that this State is neither deficient in power, nor that her inhabitants want inclination or courage to maintain the independency of their republic against all unjust violence; and they also look on it as insufferable, that a nation which owes the security and preservation of her civil and religious liberties to the assistance and co-operation of this republic, and which otherwise is united with her by ties of mutual and positive interest, should dare, against the first principles of natural equity, against all rules of right, adopted by all civilized nations, and against the faith of all solemn treaties, for the reason only of CONVENIENCE; that this very nation, we say, should dare to cause so much trouble and prejudice to the commerce and navigation of this republic, and that in so notorious a manner, that the total ruin of individuals, and the entire decay of trade, as well as of navigation, must be the final result of their conduct.*

A MEMORIAL,

Delivered by Sir Joseph Yorke, to the Deputies of the States General, on the 22d of November, 1778.

THEIR High Mightinesses will have received, by the

answer from Lord Suffolk, one of his Majesty's Principal Secretaries of State, to the Count Welderen, dated the 19th of October, the most convincing proofs of his Majesty's friendship towards them.

After an explicit detail of the hostile and unprecedented conduct of his most Christian Majesty, which conduct occasioned the seeming irregularity of the Court of Great Britain, in seizing the ships appertaining to neutral powers bound to the ports of France, the measure hath been fully explained on the principles of necessity and self-defence, against an enemy who hath ever acted covertly and by surprize.—The moderation and equity of the King my master, would not permit him to disregard the complaints of the subjects of their High Mightinesses, from the moment there appeared a possibility to renew them. It is for this reason that his Majesty has declared his intention to release the Dutch vessels, under conditions the most amicable and the least disadvantageous, as far as circumstances will admit. The war, however, still continues, and the active endeavours of the enemy to push matters to extremity, obliges his Majesty to guard against the danger. He wishes, nevertheless, to involve his good neighbours and allies as little as possible; and although France has even threatened to invade his Majesty's dominions and territories, having, for that purpose, assembled numerous armies on their coast, the King, my master, still forbears to claim such succour from their High Mightinesses as they are bound to grant, by the most explicit and solemn treaties, whenever
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such succours may be on his part required, namely, the treaty of 1678, and the separate article of 1716; his Majesty confines himself for the present solely to lay before their High Mightinesses the state of affairs, the motive of his conduct, and the necessity he finds himself under to take measures for his own defence, and the preservation of his dominions.

It is only with this view that I am ordered by his Britannic Majesty, to propose to their High Mightinesses a conference, to consider of the most proper means towards an amicable regulation of such a mode of proceeding in future, respecting such articles as his Majesty, without yielding to his enemies, cannot possibly suffer them to be supplied with. It cannot have escaped the attention of their High Mightinesses, that Lord Suffolk in explaining his Majesty's sentiments to Count Wolderen, fully demonstrated the King's sincere desire to pay the strictest regard to the faith of treaties, as far as they do not directly tend to expose him to imminent danger. It is by no means his intention, nor is it his wish, to cause the least interruption to the commerce of Holland, usually carried on with France, excepting warlike and naval stores, and even this restriction shall be enjoyed with equity, and, I am confident, with every possible degree of generosity.

I therefore, in obedience to my instructions, have taken the liberty to request an audience, to know whether, in consequence of the answer delivered to Count Wolderen, their High Mightinesses are resolved to open a conference with me? On my part, I intreat

you to assure their High Mightinesses, that as well from my being authorised by his Majesty, as from my being personally disposed, after a residence in this country of 27 years, their High Mightinesses will find in me every readiness to attend to their complaints, and regard for their welfare; and I flatter myself that in the course of the conference I shall convince them, that whatever forced and affected turn may have been given to the conduct of my Court, it has been founded on the justice, moderation, and necessity of our situation. In expectation of the decision of their High Mightinesses on what I have laid before them, I trust that their known equity and friendship towards his Majesty, agreeable to their recent assurances by their Envoy, will prove sufficient not to authorize their subjects to carry naval stores, under convoy, to France, as being the most dangerous object to the security of Great Britain.

A MEMORIAL,

Presented by his Excellency the Duke de Vauguyon, Ambassador of France to the States General of the United Provinces of the Low Countries.

THE opinion which the King my master hath entertained, that your High Mightinesses, animated with the desire of perpetuating the perfect harmony which subsists between France and the States General, will, in the present circumstances, scrupulously adhere to the principles of absolute neutrality, has induced his Majesty to comprehend the United Provinces in

in the regulation which was made in the month of July last, concerning the commerce and navigation of neutral powers,

His Majesty has still less reason to doubt the perseverance of your High Mightinesses in these principles, after so many assurances given in claiming their captures, which are the foundation and guarantee of the solid repose and prosperity of the Republic. But his Majesty, notwithstanding, wishes to procure on this head a more certain assurance, and it is with this view that his Majesty has ordered me to demand of your High Mightinesses a clear and specific explanation of your ulterior determinations, and so to state them, that his Majesty may be enabled to judge whether they tend to maintain or annul the reciprocal regulations which his Majesty would wish to consolidate.

The better to explain his Majesty's views and intentions to your High Mightinesses, I have the honour of notifying to you, that the King my master flatters himself, that your answer to this Memorial will preserve to the flag of the United Provinces, all the liberty which of right belongs to them as an independent State, and to their commerce all the respect which is due by the law of nations, and the faith of treaties.

The least derogation from those principles of neutrality you have professed, will betray a partiality, the consequences of which will incur the necessity of putting an end to not only the advantages which his Majesty promises to your flag in case of a strict observance of neutrality, but also the essential favours and benefits which the

commerce of the United Provinces enjoy in all the ports of his kingdom.

This Memorial is presented without any other motive, than to shew the good will and affection of his Majesty for your High Mightinesses.

Hague, Dec. 2, 1778.

ORDER of the French King's Council of State, which is to take place on the 26th of January, 1779, and revokes, with respect to the subjects of the United Provinces of the Low Countries, (the City of Amsterdam excepted) all the advantages given, by the first article of the regulation of the 26th of July, 1778, to the navigation of neutral vessels: directs also, that all Holland vessels shall provisionally execute the first, second, third, fourth, and fifth articles of the regulation of the 21st of October, 1744; subjecting the said vessels to the payment of duties on freightage, and to the making a new entry.

January 14, 1779.

Extract from the Registers of the Council of State.

THE King having declared, by his regulation of the 26th of July last, concerning the navigation of neutral vessels, that he reserved to himself the power of revoking the liberty granted by the first article, in case the belligerent powers should not grant the like within the space of six months; and his Majesty, judging it proper to make known his intentions, relative to the vessels belonging to

[D d] 4

424] ANNUAL REGISTER, 1779.

the subjects of the Republic of the United Provinces of the Low Countries, has in council ordered and declared as follows :

Article the 1st.

The Republic of the United Provinces not having obtained of the Court of London the liberty of navigation, equal to that which the King had conditionally promised to their flag, and which their treaties with England should secure to them, his Majesty revokes, with respect to the subjects of the said Republic, the advantages granted by the first article, concerning the commerce and navigation of neutral ships ; and in consequence declares it his pleasure, that the vessels of the said Republic shall provisionally execute the first, second, third, fourth, and fifth articles of the regulation of the 21st of October, 1744.

2. His Majesty further declares, that from the date of the 26th of January, 1779, the vessels belonging to the subjects of the said Republic, shall pay the duty on freightage, as is established by the ordinances and regulations, and particularly by the declaration of the 24th of November, 1750, and the order of Council of the 16th of July, 1757 ; his Majesty reserving to himself the power of laying, when he pleases, new duties on the commodities of the United Provinces, and the productions of their manufactures.

3. His Majesty, however, considering that the city of Amsterdam has made the most patriotic exertions, to persuade the Republic to procure, from the Court of London, the security of that unlimited liberty, which belongs to their

flag, in consequence of her independence and integrity of commerce, which the rights of nations and treaties secure to her ; and his Majesty, desirous of giving the said city a striking example of his benevolence, has reserved to the ships freighted by the inhabitants of Amsterdam, the liberty promised by the first article of the regulation of the 26th of July last, concerning the navigation of neutral vessels, as well as the exemption of the duties of freightage ; except such vessels as are employed in the French coasting trade, which shall continue to be subject to the order of Council of the 16th of July, 1757. His Majesty further reserves to the inhabitants of the said city, the advantages granted to their own commodities, and the productions of their manufactures, conformably to what is at present practised.

4. To secure to the vessels of Amsterdam, exclusively, the enjoyment of the advantages granted in the preceding article, his Majesty declares, that the captains of the said vessels shall be supplied with a certificate from the Commissary of the Marine established at Amsterdam, and an attestation of the magistrates of the said city, asserting that the vessels were actually freighted by the inhabitants of that city, and that they went directly from their port for the place they were bound to.

5. The said Captains shall be bound, on their return, to appear before the said Commissary of the Marine, and to give sufficient proof, that he landed his cargo in no other port or harbour of the Republic than that of Amsterdam. His Majesty also enjoins the said Commissary,

commissary, to refuse in future any new certificate to those, who shall not be provided with good proof of their integrity, or who shall be convicted of having landed their cargo in any other port or harbour of the republic.

6. His Majesty especially commands his ambassador to the republic of the United Provinces of the Low Countries, strictly to attend to the due observance of this order.

His Majesty orders and commands the Duke de Penthièvre, Admiral of France, to sign the execution of the present order, which shall be entered on the registers of the Admiralty, and from whence all the necessary letters shall be dispatched.

Given in the King's Council of State, his Majesty being present, held at Versailles, Jan. 14, 1779.

(Signed)

DE SARTINE.

Memorial presented by Sir Joseph Yorke, to the States General of the United Provinces.

“ High and Mighty Lords,
 “ **T**HE King of Great Britain, from the friendship he has for your High Mightinesses, and taking into consideration the regard reciprocally between Sovereigns, has hitherto forebore interfering in the negotiation which has been carrying on relative to the protection to be given to the transportation of all sorts of naval stores during the war, which is actually carrying on between your High Mightinesses and France; but the last proceedings of the French ambassador forbid his keeping si-

lence any longer, and his Majesty would think he wronged the ancient leagues between his crown and your High Mightinesses, if he did not inform them to what danger they will expose themselves, by listening to proposals which will oblige them to infringe a neutrality which they have so often declared they wished to support, and which at once attack their independence, sap the basis of their government, and threaten nothing less than their dissolution.

“ Your High Mightinesses are too well instructed not to feel that a foreign power, who takes upon itself the right of granting particular favours to part of your government to the prejudice of the rest, can have no other view than to sow discord, and to break the ties which unite you; and that if other powers were to follow the same example, the republic would be torn to pieces by an internal combustion, and an universal anarchy would succeed.

“ Thus far the interest only of your High Mightinesses seems concerned; but when we perceive that the end of all these intrigues is manifestly designed to cause the republic to quarrel with the King, and to bring on a war between your High Mightinesses and Great Britain, under the seducing pretence of a perfect neutrality and the interest of trade, the King can no longer remain an indifferent spectator, but finds himself obliged to lay before your High Mightinesses the danger into which France wishes to plunge you.

“ What right has France to dictate to your High Mightinesses the arrangements you ought to make

reign or State, or to different States and Sovereigns with which either of the two contracting powers may be at war."

It will not be difficult for your memorialists to prove in the most convincing manner, as well by solid reasons, as by the authority of the best authors, who have written on the law of nations, and the judgment of civilized States in general, as also by the common rights of men, and without the necessity of any treaty or alliance; that in case of war between two powers, the subjects of that State in peace or neutrality with the belligerent powers, ought to enjoy the liberty of an uninterrupted commerce, and without being tied down by all the powers who are at war, and without meeting with the least obstacle under any pretext whatever; except in cases where neutral nations would supply the belligerent powers with warlike stores or other contraband goods, or are endeavouring to negotiate with places besieged or blockaded.

Your memorialists, therefore, consider it as superfluous to call your attention to such an object, seeing that the law of nations hath obtained the strictest sanction by the treaty concluded between this republic and England. That consequently it is not a question what ought to be the case between two nations who have not any reciprocal alliance, but that it is only to be considered, what treatment the inhabitants of this republic have a right to expect on the part of the subjects of Great Britain, since the alledged treaty still subsists, and was concluded on, as it is well known to your High Might-

nesses, in a time when this state was at war with France; and that consequently it was principally dictated by the English, in order to *procure them a free navigation to and from the several ports of France.* Since then the English nation were the first who reaped the fruits of that convention, they ought not to prevent the subjects of this republic from profiting in their turn of the advantages of a free navigation and commerce, which they stipulated in themselves, and which they have enjoyed as they have found it convenient. And this objection ought to appear the better founded, as the stipulations in the treaty agreeing with the law of nations, ought to be a consideration of the greatest weight with a nation which would wish to preserve any pretensions to reason and equity, and that would not violate in any point the faith of a treaty so solemn as the above-mentioned.

The memorialists, therefore, hope, that by the efficacy of these reasons, the injustice will appear to your High Mightnesses, as well of making those prizes as the manner of carrying away the vessels of the inhabitants of this republic, navigated from a third place to the ports of France, or from one port of the same kingdom to another, without considering what or who he is, who ought to be considered as proprietor of the cargo.

That this injustice carries such a demonstrative proof, that neither the proprietors nor the sharers of the vessels ought, on that head, to begin making by instituting a process; but that it belongs to *his Britannic Majesty to give immediate orders,*

cepts the cities of Amsterdam and Haerlem from certain duties imposed on the other members of the republic, to punish them for having made use of that sovereign right which belongs to them, cannot but shew all Europe the motives which have engaged France to league with America.

"The King is always ready to do all in his power for the advantage and tranquility of the subjects of the republic, provided it is not incompatible with the interests of his kingdoms.

"He flatters himself, that your High Mightinesses will, on this occasion, consult your true interests, without suffering yourselves to be intimidated by foreign views, and that you will co-operate by that means to keep up the good intelligence between the two nations, and that his Majesty may never be obliged to take other measures towards the republic, than those which friendship and good harmony may dictate.

(Signed)

JOSEPH YORKE."

Hague, April 9, 1779.

Ordinance of the French King's Council of State, respecting the Suspension of the Order to collect the Duties of Freightage, and fifteen per Cent. upon the Ships of the Province of Holland exclusively.

July 3, 1779.

Extract from the Registers of the Council of State.

THE King, by the orders of his council of the 14th of January, the 27th of April, and the 5th of June last, having or-

dered to be collected, in all the ports of his kingdom, not only the right of freightage, but also that of fifteen per cent. as well upon the ships of Holland as those of the other Provinces, and upon the merchandize with which they shall be laden, excepting from those dispositions, the cities of Amsterdam and Harlem; and his Majesty being willing to grant the same exception to the whole Province of Holland, the Sieur Moreau de Beaumont, Counsellor of State in Ordinary, and of the Council of the Royal Finances, has made the following reports: The King, being present in his council, has ordered, and does order, that the execution of the ordinances of the 14th of January, the 27th of April, and the 5th of June, shall be suspended; until a new order to the contrary, in favour of the said Province of Holland exclusively; provided nevertheless, the captains of ships belonging to the said Province be furnished with a certificate, either from the Commissary of Marine at Amsterdam, or from the Marine Agent at Rotterdam, to prove that the said ships really belonged to a citizen of the said Province, and that their ladings consisted of articles of their own growth, fishery, manufactures, and commerce. His Majesty commands and enjoins his Intendants and Commissaries in his Provinces, to attend to the execution of this present ordinance. Given in the King's Council of State, held at Versailles, his Majesty being present, the 3d day of July, one thousand seven hundred and seventy-nine.

(Signed)

DE SARTRES,
Mons.

Memorial presented by Sir Joseph Yorke, Ambassador Extraordinary and Plenipotentiary of the King of Great Britain, to their High Mightinesses the States General of the United Provinces of the Low Countries, on the 22d of July, 1779.

“ High and Mighty Lords,
“ **S**INCE France, by the declaration made at London on the 13th of March last year, fully discovered the vast and dangerous designs which the Family Compact had before announced to Europe, this part of the world must bear witness to the wisdom and moderation of the King of Great Britain, who endeavoured to ward off the calamities of war, avoiding, as much as possible, engaging his neighbours and allies.

“ A conduct like this, founded in the most pointed moderation, seemed so much to embolden the court of Versailles, that after persistently encouraging of rebel subjects, under the mask of liberty, commerce, and independence, to plunge a poignard into the heart of their mother country; France, not contented with so hostile a proceeding, has, without any national quarrel, drawn Spain into its views, and, without any plausible reasons to colour the design, is making every preparation that an imperious disposition can dictate to invade the British islands.

“ On the news of these extraordinary and great preparations, your High Mightinesses cannot but justify the pressing and reiterated instances which the King of Great Britain could not but make to you, relative to the naval armament; and the notorious danger

of England will no doubt convince all the subjects of these Provinces, who have hitherto spoke against it, of the necessity of this request of my court.

“ But those motives, which were only palliatives to prevent an evil, are now out of season; the danger is become imminent, and the remedy must be speedy. The stipulations of a treaty, founded on the interests of trade only, must give way to those founded on the dearest interests of the two nations. The moment is come to decide whether Great Britain, who has spilt so much blood, and expended so much treasure to succour others, and to maintain liberty and religion, is to have no other resources against the malice and envy of her enemies, than her own courage, and her own internal strength; whether she is to be abandoned by her most antient friends and allies, to the most ambitious views of the House of Bourbon, which would crush all, to reign over all; and whether Europe in general, and your High Mightinesses in particular, will with indifference see a system established, which will evidently destroy that equilibrium which is the only guarantee of your commerce, liberty, and even existence itself.

“ The King, High and Mighty Lords, has too high an opinion of the understanding, the good faith, and the wisdom of the republic, to doubt a moment of the sentiments of your High Mightinesses on this occasion. A nation whose history contains scarce any thing but the detail of the dangers which the ambition of France successively created, whose best days began with their union with England:

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in short, a nation accustomed to exact the literal execution of a hard treaty, has too much generosity not to fulfil those which have united the interests of the two nations upwards of a century.

“ It is in this persuasion, joined to all that is held most sacred among men, that the under-written Ambassador Extraordinary and Plenipotentiary from the King of Great Britain, has, by express order, the honour to notify to your High Mightinesses, that the danger which threatens his kingdoms, necessitates his Majesty to reclaim, without loss of time, the succours stipulated in the treaties of 1678, and others, and of which the *Casus Fœderis* is so fully explained in the separate article of 1716. His Majesty expects the same with confidence from a neighbour who has never failed in his engagements, and for the rest confides in the divine benediction on the justness of his cause, and on the fidelity and valour of his subjects.

“ The underwritten waits with the greatest impatience for a just, speedy, and favourable answer, and is ready to confer with the deputies of your High Mightinesses on what steps are further necessary to be taken.

(Signed)

JOSEPH YORKE.”

Hague, July 22, 1779.

Resolutions of their High Mightinesses, relative to Paul Jones's Squadron and Prizes, delivered to the English Ambassador at the Hague, on the 25th of October, 1779.

THAT their High Mightinesses being informed that

three frigates had lately arrived at the Texel, namely, two French and one called an American, commanded by Paul Jones, bringing with them two prizes taken by them in the open sea, and called the *Serapis* and the *Countess of Scarborough*, described in the ambassador's memorial. That their High Mightinesses having for a century past strictly observed the following maxim, and notified the same by placards, viz. that they will in no respect whatever pretend to judge of the legality or illegality of the actions of those who have on the open sea taken any vessels which do not belong to this country, and bring them into any of the ports of this republic; that they only open their ports to them to give them shelter from storms or other disasters; and that they oblige them to put to sea again with their prizes without unloading or disposing of their cargoes, but letting them remain exactly as when they arrived. That their High Mightinesses will not examine whether the prizes taken by the three frigates in question belong to the French or the Americans, or whether they are legal or illegal prizes, but leave all that to be determined by the proper judges, and will oblige them to put to sea, that they may be liable to be retaken, and by that means brought before the proper judge, particularly as his Excellency the Ambassador must own he would have no less a right to re-claim the above-mentioned ships, if they had been private property, than as they have been King's ships; therefore their High Mightinesses are not authorised to pass judgment either upon those prizes, or the person of Paul Jones;

Jones; that as to what regards acts of humanity, their High Mightinesses have already made appear how ready they are to shew them towards the wounded on board of the vessels, and that they have given orders accordingly. That an extract of the present resolution shall be given to Sir Joseph Yorke by the Agent Vander Burch de Spierinxhoek.

At the same time it was resolved, that word should be sent to the Admiralty of Amsterdam that their High Mightinesses approve their proceedings, and adhere to their placard of the 3d of November, 1756, by which it is forbidden to meddle with any prizes, or to open their cargoes, so as by that means to free them from being retaken, &c. That this is strictly to be observed with regard to the *Serapis* and *Countess* of Scarborough. Their High Mightinesses authorise the said Admiralty to order matters so that these five ships do put to sea as soon as possible, and that they take care they are not furnished with any warlike or naval stores but what are absolutely necessary to carry them safe to the first foreign port they can come at, in order that all suspicion of their being fitted out here may drop.

Memorial presented by Sir Joseph Yorke, his Majesty's Ambassador at the Hague, to their High Mightinesses, requesting the delivering up the Serapis and Countess of Scarborough, taken by Paul Jones.

High and Mighty Lords,
IN thanking your High M
 nesses for the orders whic

humanity dictated relative to the wounded men on board the two King's ships the *Serapis* and *Countess* of Scarborough, I cannot but comply with the strict orders of his Majesty, by renewing in the strongest and most pressing manner his request that these ships and their crews may be stopped, and delivered up, which the pirate Paul Jones of Scotland, who is a rebel subject, and a criminal of the State, has taken.

The sentiments of equity and justice which your High Mightinesses possess, leave me no room to doubt but that, upon mature deliberation upon all the circumstances of this affair, you will acknowledge the reasonableness of this request, founded both on the most solemn treaties now subsisting between Great Britain and the United Provinces, and the right and customs of nations in friendship and alliance.

The stipulation of the treaty of Breda of the 10th of July 1667, (Old Style) confirmed particularly in that of 1716, and all the later ones, are too clear and incontestible in that respect for the force of them not to be left.

The King would be gratified from his Majesty's well as that of the High Mightinesses, was particularly as that the King and an

tion, and authorises, according to the custom of Admiralties, to treat all those as pirates whose letters are found to be illegal for want of being granted by a sovereign power.

The quality of Paul Jones, and all the circumstances of the affair, are too notorious for your High Mightinesses to be ignorant of them. The eyes of all Europe are fixed upon your resolution; your High Mightinesses know too well the value of good faith not to give an example of it in this essential rencontre. The smallest deviation from so sacred a rule, by weakening the friendship of neighbours, may produce serious consequences.

The King has always gloried in cultivating the friendship of your High Mightinesses; his Majesty constantly persists in the same sentiments; but the English nation does not think that it any ways has deserved its fellow-citizens to be imprisoned in the ports of the republic by a man of no character, a subject of the same country, and who enjoys that liberty which they are deprived of.

It is for these and many other strong reasons, which cannot escape the wisdom and penetration of your High Mightinesses, that the underwritten hopes to receive a speedy and favourable answer conformable to the just expectations of the King his master and the British nation.

(Signed)

JOSEPH YORKE.

Done at the Hague, Oct. 29, 1779.

The answer which their High Mightinesses caused to be given to the above memorial was in brief; "That they will in no respect

take upon them to judge of the legality or illegality of those who have on the open sea taken any vessels which do not belong to their country; that they only open their ports to give them shelter from storms or other disasters; and that they oblige them to go to sea again with their prizes without suffering them to unload or dispose of any part of their cargoes, that they may be liable to be re-taken in the same state they were taken; but do not think themselves authorized to pass judgments upon those prizes, or the person of Paul Jones, &c."

Memorial presented by Sir Joseph Yorke, to their High Mightinesses, Nov. 26th, 1779.

High and Mighty Lords,

THE King cannot without surprise see the silence that has been observed, with regard to the memorial which the underwritten had the honour to present upwards of four months ago to your High Mightinesses, requiring the succours stipulated by treaty.

His Majesty would not have claimed the assistance of his allies, if he had not been fully authorized to it by the menaces, the preparations, and even the attacks of his enemies; and if he had not thought your High Mightinesses as much interested in the preservation of Great Britain as in their own.

The spirit and the letter of the treaties confirm this truth. Your High Mightinesses are too wise and too just to dispense with the observance of them, having particularly yourselves solicited the
addition

addition of the separate article of the treaty of 1716, in which the *Casus Fœderis* is stipulated in a clear and incontestible manner.

The hostile declaration made at London by the Marquis de Noailles, the attack of Jersey, the siege of Gibraltar, and all the other notorious enterprizes, are so many clear proofs of a manifest aggression. Besides which, your High Mightinesses have seen, during the past summer, that the combined forces of the House of Bourbon were evidently directed against his Majesty's kingdoms; and although the vigorous measures of the King, the zealous and patriotic efforts of the nation, crowned with the blessings of Providence, have happily hitherto frustrated their ambitious designs, yet the danger exists still, and the enemy continues still to announce their intended attacks and invasions, under the protection of their naval forces.

The King can never imagine that the wisdom of your High Mightinesses can permit them to remain indifferent in interests so solid and so common to both countries, and still let that they should not be convinced of the justice of the motives which have determined his Majesty to claim that succour which is his due on so many accounts. His Majesty would rather persuade himself that your High Mightinesses, having resolved to augment their navy, had through prudence kept back their answer till they were better able to furnish the succour required.

It is for this reason, that, in renewing this subject in the most pressing manner, I have orders to request of your High Mightinesses most amicably not to defer the

concerting of measures, in order to fulfil their engagements on this head. The decision of your High Mightinesses is so necessary, and so important in its consequences, that the King would think himself wanting to himself, his subjects, and the republic, if his Majesty did not recommend this affair immediately to the most serious deliberation of your High Mightinesses. It is of infinite import to the King to have matters made clear, by a speedy and immediate answer to so essential an object.

His Majesty hopes, from the equity of your High Mightinesses, that their answer will be conformable to the treaties and the sentiments of friendship he has always had for the republic; and it will be according to the resolutions of your High Mightinesses that his Majesty proposes to take such future measures as may be most adapted to circumstances, and most proper for the security of his estates, the welfare of his people, and the dignity of his crown.

Done at the Hague, Nov. 26, 1779.

(Signed)

JOSEPH YORKE.

Treaty of Friendship and Commerce between the French King and the United States of North America.

THE Most Christian King, and the Thirteen United States of North America, viz. New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, the Counties of Newcastle, Kent, and Sussex on the Delaware,

ware, Maryland, Virginia, North and South Carolina, and Georgia, desirous of establishing, in an equitable and permanent manner, the rules which ought to be observed, relative to the correspondence and commerce, which the two parties wish to establish between their respective states, dominions and subjects; his most Christian Majesty and the said United States have thought proper, and as most conducive to this end, to found their arrangements on the basis of the most perfect equality and reciprocal advantage, taking care to avoid disagreeable preferences, the sources of altercation, embarrassment, and discontent; to leave to each party the liberty, respecting commerce and navigation, of making such interior regulations as shall suit themselves; to found their commercial advantages as well on reciprocal interest, as on the laws of mutual agreement; and thus to preserve to both parties the liberty of dividing, each according to his will, the same advantages with other nations. In this idea, and to accomplish these views, his said Majesty, having nominated and appointed, as his plenipotentiary, M. Conrad Alexander Gerard, royal Syndic of the city of Strasburgh, Secretary of his Majesty's Council of State; and the United States having, on their part, invested with full powers Mess. Benjamin Franklin, Deputy of the General Congress of the State of Pennsylvania, and president of the assembly of the said state; Silas Deane, formerly Deputy of the State of Connecticut; and Arthur Lee, Counsellor at Law: the said plenipotentiaries respectively, after having exchange-

VOL. XXII.

ed their credentials, and upon mature deliberation, have concluded and agreed to the following articles:

Art. I. A firm, inviolable, and universal peace, and a true and sincere friendship, shall subsist between the most Christian King, his heirs and successors, and the United States of America, as well as between his most Christian Majesty's subjects, and those of the said states; as also between the people, islands, cities, and places, under the government of his Christian Majesty, and the said United States; and between the people and inhabitants of all classes, without any exception to persons or places. The conditions mentioned in the present treaty, shall be perpetual and permanent between the most Christian King, his heirs and successors, and the said United States.

Art. II. The most Christian King and the United States mutually engage, not to grant any particular favour to other nations, respecting commerce and navigation, which shall not be immediately made known to the other party; and such nation shall enjoy that favour gratuitously, if the concession is such, or in granting the same compensation, if the concession is conditional.

Art. III. The subjects of the most Christian King shall not pay, in the ports, harbours, roads, countries, islands, cities, and places of the United States, any greater duties or imposts, of what nature soever they may be, or by whatever name they may be called, than such as the most favoured nation shall pay; and they shall enjoy all the rights, liberties, privileges, im-

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munities,

make with England? When and how has that court obtained any such right? The treaty which your High Mightinesses do, and which the King might reclaim, contains nothing of that kind; it must therefore be sought for in the ambitious views of that power, which has made a league with the rebels of America, and now endeavours to bring other states into it with them.

“ In October last the King, in an amicable manner, communicated his situation and sentiments to your High Mightinesses, by a memorial delivered to your Envoy, Count Welderen, by the late Lord Suffolk, in which he explained his views, and the necessity he was under to defend himself against an enemy, who had attacked him by surprize in an unjust manner; and although that enemy has gone so far as to dictate to your High Mightinesses, what they were to do during the present troubles; his Majesty, far from imitating any such arbitrary conduct, only proposed to your High Mightinesses to confer with his ambassador upon what was most proper to be done for the security, &c. of the two countries. Your High Mightinesses, it is true, to my great regret, thought proper to decline this offer, and to insist upon the literal and strict observance of a treaty which you yourselves must see is incompatible with the security of Great Britain, and contrary to the spirit and stipulations of all the future treaties between the two nations.

“ What object can be more important, more indispensable, than that of depriving the enemy of any materials which may enable them

to redouble their efforts during the war? and how can a protection of those materials be reconciled to the alliances so often renewed between the two nations, or with the assurances of friendship, which your High Mightinesses are continually professing to the King? To prevent future bad consequences, and to assure the republic of the unequivocal friendship his Majesty entertains for this republic, the King has ordered me to assure your High Mightinesses of the ardent desire he has to cultivate good harmony between the two nations, to renew the promises he made to them to maintain the liberties of legal trade to their subjects, agreeable to the orders given to the King's ships and privateers, notwithstanding the advantage that may result from it to the enemy; but his Majesty orders me to add, that he cannot depart from the necessity he is under of excluding the transportation of naval stores to the ports of France, and particularly timber, even if they are escorted by men of war.

“ The example which France has set of favouring some members of the republic to the detriment of others, so directly contrary to the union and independence of your High Mightinesses, the King hopes never to be obliged to follow, unless a condescension to the views of France obliges him to take that method of making amends to those members of the republic who are hurt by the partiality of his enemies. His Majesty always thought it derogatory from the dignity of sovereignty to sow discord in any neighbouring states.

“ The last edict published by the court of France, which ex-
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cepts the cities of Amsterdam and Haerlem from certain duties imposed on the other members of the republic, to punish them for having made use of that sovereign right which belongs to them, cannot but shew all Europe the motives which have engaged France to league with America.

"The King is always ready to do all in his power for the advantage and tranquility of the subjects of the republic, provided it is not incompatible with the interests of his kingdoms.

"He flatters himself, that your High Mightinesses will, on this occasion, consult your true interests, without suffering yourselves to be intimidated by foreign views, and that you will co-operate by that means to keep up the good intelligence between the two nations, and that his Majesty may never be obliged to take other measures towards the republic, than those which friendship and good harmony may dictate.

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JOSEPH YORKE."

Hague, April 9, 1779.

Ordinance of the French King's Council of State, respecting the Suspension of the Order to collect the Duties of Freightage, and fifteen per Cent. upon the Ships of the Province of Holland exclusively.

July 3, 1779.

Extract from the Registers of the Council of State.

THE King, by the orders of his council of the 14th of January, the 27th of April, and the 5th of June last, having or-

dered to be collected, in all the ports of his kingdom, not only the right of freightage, but also that of fifteen per cent. as well upon the ships of Holland as those of the other Provinces, and upon the merchandize with which they shall be laden, excepting from those dispositions, the cities of Amsterdam and Harlem; and his Majesty being willing to grant the same exception to the whole Province of Holland, the Sieur Moreau de Beaumont, Counsellor of State in Ordinary, and of the Council of the Royal Finances, has made the following report: The King, being present in his council, has ordered, and does order, that the execution of the ordinances of the 14th of January, the 27th of April, and the 5th of June, shall be suspended, until a new order to the contrary, in favour of the said Province of Holland exclusively; provided nevertheless, the captains of ships belonging to the said Province be furnished with a certificate, either from the Commissary of Marine at Amsterdam, or from the Marine Agent at Rotterdam, to prove that the said ships really belonged to a citizen of the said Province, and that their ladings consisted of articles of their own growth, fishery, manufactures, and commerce. His Majesty commands and enjoins his Intendants and Commissaries in his Provinces, to attend to the execution of this present ordinance, Given in the King's Council of State, held at Versailles, his Majesty being present, the 3d day of July, one thousand seven hundred and seventy-nine.

(Signed)

DE SARTINE.
Memo.

Memorial presented by Sir Joseph York, Ambassador Extraordinary and Plenipotentiary of the King of Great Britain, to their High Mightinesses the States General of the United Provinces of the Low Countries, on the 22d of July, 1779.

“ High and Mighty Lords,
SINCE France, by the declaration made at London on the 13th of March last year, fully discovered the vast and dangerous designs which the Family Compact had before announced to Europe, this part of the world must bear witness to the wisdom and moderation of the King of Great Britain, who endeavoured to ward off the calamities of war, avoiding, as much as possible, engaging his neighbours and allies.

“ A conduct like this, founded in the most pointed moderation, seemed so much to embolden the court of Versailles, that after perfidiously encouraging of rebel subjects, under the mask of liberty, commerce, and independence, to plunge a poignard into the heart of their mother country; France, not contented with so hostile a proceeding, has, without any national quarrel, drawn Spain into its views, and, without any plausible reasons to colour the design, is making every preparation that an imperious disposition can dictate to invade the British islands.

“ On the news of these extraordinary and great preparations, your High Mightinesses cannot but justify the pressing and reiterated instances which the King of Great Britain could not but make to you, relative to the naval armament; and the notorious danger

of England will no doubt convince all the subjects of these Provinces, who have hitherto spoke against it, of the necessity of this request of my court.

“ But those motives, which were only palliatives to prevent an evil, are now out of season; the danger is become imminent, and the remedy must be speedy. The stipulations of a treaty, founded on the interests of trade only, must give way to those founded on the dearest interests of the two nations. The moment is come to decide whether Great Britain, who has spilt so much blood, and expended so much treasure to succour others, and to maintain liberty and religion, is to have no other resources against the malice and envy of her enemies, than her own courage, and her own internal strength; whether she is to be abandoned by her most antient friends and allies, to the most ambitious views of the House of Bourbon, which would crush all, to reign over all; and whether Europe in general, and your High Mightinesses in particular, will with indifference see a system established, which will evidently destroy that equilibrium which is the only guarantee of your commerce, liberty, and even existence itself.

“ The King, High and Mighty Lords, has too high an opinion of the understanding, the good faith, and the wisdom of the republic, to doubt a moment of the sentiments of your High Mightinesses on this occasion. A nation whose history contains scarce any thing but the detail of the dangers which the ambition of France successively created, whose best days began with their union with England:

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"The underwritten waits with the greatest impatience for a just, speedy, and favourable answer, and is ready to confer with the deputies of your High Mightinesses on what steps are further necessary to be taken.

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JOSEPH YORKE."

Hague, July 22, 1779.

Resolutions of their High Mightinesses, relative to Paul Jones's Squadron and Prizes, delivered to the English Ambassador at the Hague, on the 25th of October, 1779.

THAT their High Mightinesses being informed that

three frigates had lately arrived at the Texel, namely, two French and one called an American, commanded by Paul Jones, bringing with them two prizes taken by them in the open sea, and called the *Serapis* and the *Countess of Scarborough*, described in the ambassador's memorial. That their High Mightinesses having for a century past strictly observed the following maxim, and notified the same by placards, viz. that they will in no respect whatever pretend to judge of the legality or illegality of the actions of those who have on the open sea taken any vessels which do not belong to this country, and bring them into any of the ports of this republic; that they only open their ports to them to give them shelter from storms or other disasters; and that they oblige them to put to sea again with their prizes without unloading or disposing of their cargoes, but letting them remain exactly as when they arrived. That their High Mightinesses will not examine whether the prizes taken by the three frigates in question belong to the French or the Americans, or whether they are legal or illegal prizes, but leave all that to be determined by the proper judges, and will oblige them to put to sea, that they may be liable to be retaken, and by that means brought before the proper judge, particularly as his Excellency the Ambassador must own he would have no less a right to reclaim the above-mentioned ships, if they had been private property, than as they have been King's ships; therefore their High Mightinesses are not authorised to pass judgment either upon these prizes, or the person of Paul Jones;

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to redouble their efforts during the war? and how can a protection of those materials be reconciled to the alliances so often renewed between the two nations, or with the assurances of friendship, which your High Mightinesses are continually professing to the King? To prevent future bad consequences, and to assure the republic of the unequivocal friendship his Majesty entertains for this republic, the King has ordered me to assure your High Mightinesses of the ardent desire he has to cultivate good harmony between the two nations, to renew the promises he made to them to maintain the liberties of legal trade to their subjects, agreeable to the orders given to the King's ships and privateers, notwithstanding the advantage that may result from it to the enemy; but his Majesty orders me to add, that he cannot depart from the necessity he is under of excluding the transportation of naval stores to the ports of France, and particularly timber, even if they are escorted by men of war.

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Resolutions of their High Mightinesses, relative to Paul Jones's Squadron and Prizes, delivered to the English Ambassador at the Hague, on the 25th of October, 1779.

THAT their High Mightinesses being informed that

three frigates had lately arrived at the Texel, namely, two French and one called an American, commanded by Paul Jones, bringing with them two prizes taken by them in the open sea, and called the *Serapis* and the *Countess of Scarborough*, described in the ambassador's memorial. That their High Mightinesses having for a century past strictly observed the following maxim, and notified the same by placards, viz. that they will in no respect whatever pretend to judge of the legality or illegality of the actions of those who have on the open sea taken any vessels which do not belong to this country, and bring them into any of the ports of this republic; that they only open their ports to them to give them shelter from storms or other disasters; and that they oblige them to put to sea again with their prizes without unloading or disposing of their cargoes, but letting them remain exactly as when they arrived. That their High Mightinesses will not examine whether the prizes taken by the three frigates in question belong to the French or the Americans, or whether they are legal or illegal prizes, but leave all that to be determined by the proper judges, and will oblige them to put to sea, that they may be liable to be retaken, and by that means brought before the proper judge, particularly as his Excellency the Ambassador must own he would have no less a right to re-claim the above-mentioned ships, if they had been private property, than as they have been King's ships; therefore their High Mightinesses are not authorised to pass judgment either upon these prizes, or the person of Paul Jones;

Memorial presented by Sir Joseph York, Ambassador Extraordinary and Plenipotentiary of the King of Great Britain, to their High Mightinesses the States General of the United Provinces of the Low Countries, on the 22d of July, 1779.

“ High and Mighty Lords,
SINCE France, by the declaration made at London on the 13th of March last year, fully discovered the vast and dangerous designs which the Family Compact had before announced to Europe, this part of the world must bear witness to the wisdom and moderation of the King of Great Britain, who endeavoured to ward off the calamities of war, avoiding, as much as possible, engaging his neighbours and allies.

“ A conduct like this, founded in the most pointed moderation, seemed so much to embolden the court of Versailles, that after perfidiously encouraging of rebel subjects, under the mask of liberty, commerce, and independence, to plunge a poignard into the heart of their mother country; France, not contented with so hostile a proceeding, has, without any national quarrel, drawn Spain into its views, and, without any plausible reasons to colour the design, is making every preparation that an imperious disposition can dictate to invade the British islands.

“ On the news of these extraordinary and great preparations, your High Mightinesses cannot but justify the pressing and reiterated instances which the King of Great Britain could not but make to you, relative to the naval armament; and the notorious danger

of England will no doubt convince all the subjects of these Provinces, who have hitherto spoke against it, of the necessity of this request of my court.

“ But those motives, which were only palliatives to prevent an evil, are now out of season; the danger is become imminent, and the remedy must be speedy. The stipulations of a treaty, founded on the interests of trade only, must give way to those founded on the dearest interests of the two nations. The moment is come to decide whether Great Britain, who has spilt so much blood, and expended so much treasure to succour others, and to maintain liberty and religion, is to have no other resources against the malice and envy of her enemies, than her own courage, and her own internal strength; whether she is to be abandoned by her most antient friends and allies, to the most ambitious views of the House of Bourbon, which would crush all, to reign over all; and whether Europe in general, and your High Mightinesses in particular, will with indifference see a system established, which will evidently destroy that equilibrium which is the only guarantee of your commerce, liberty, and even existence itself.

“ The King, High and Mighty Lords, has too high an opinion of the understanding, the good faith, and the wisdom of the republic, to doubt a moment of the sentiments of your High Mightinesses on this occasion. A nation whose history contains scarce any thing but the detail of the dangers which the ambition of France successively created, whose best days began with their union with England:

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in short, a nation accustomed to exact the literal execution of a hard treaty, has too much generosity not to fulfil those which have united the interests of the two nations upwards of a century.

"It is in this persuasion, joined to all that is held most sacred among men, that the under-written Ambassador Extraordinary and Plenipotentiary from the King of Great Britain, has, by express order, the honour to notify to your High Mightinesses, that the danger which threatens his kingdoms, necessitates his Majesty to reclaim, without loss of time, the succours stipulated in the treaties of 1678, and others, and of which the *Casus Fœderis* is so fully explained in the separate article of 1716. His Majesty expects the same with confidence from a neighbour who has never failed in his engagements, and for the rest confides in the divine benediction on the justness of his cause, and on the fidelity and valour of his subjects.

"The underwritten waits with the greatest impatience for a just, speedy, and favourable answer, and is ready to confer with the deputies of your High Mightinesses on what steps are further necessary to be taken.

(Signed)

JOSEPH YORKE."

Hague, July 22, 1779.

Resolutions of their High Mightinesses, relative to Paul Jones's Squadron and Prizes, delivered to the English Ambassador at the Hague, on the 25th of October, 1779.

THAT their High Mightinesses being informed that

three frigates had lately arrived at the Texel, namely, two French and one called an American, commanded by Paul Jones, bringing with them two prizes taken by them in the open sea, and called the *Serapis* and the *Countess of Scarborough*, described in the ambassador's memorial. That their High Mightinesses having for a century past strictly observed the following maxim, and notified the same by placards, viz. that they will in no respect whatever pretend to judge of the legality or illegality of the actions of those who have on the open sea taken any vessels which do not belong to this country, and bring them into any of the ports of this republic; that they only open their ports to them to give them shelter from storms or other disasters; and that they oblige them to put to sea again with their prizes without unloading or disposing of their cargoes, but letting them remain exactly as when they arrived. That their High Mightinesses will not examine whether the prizes taken by the three frigates in question belong to the French or the Americans, or whether they are legal or illegal prizes, but leave all that to be determined by the proper judges, and will oblige them to put to sea, that they may be liable to be retaken, and by that means brought before the proper judge, particularly as his Excellency the Ambassador must own he would have no less a right to re-claim the above-mentioned ships, if they had been private property, than as they have been King's ships; therefore their High Mightinesses are not authorised to pass judgment either upon these prizes, or the person of Paul Jones;

Jones; that as to what regards acts of humanity, their High Mightinesses have already made appear how ready they are to shew them towards the wounded on board of the vessels, and that they have given orders accordingly. That an extract of the present resolution shall be given to Sir Joseph Yorke by the Agent Vander Burch de Spierinxhock.

At the same time it was resolved, that word should be sent to the Admiralty of Amsterdam that their High Mightinesses approve their proceedings, and adhere to their placard of the 3d of November, 1756, by which it is forbidden to meddle with any prizes, or to open their cargoes, so as by that means to free them from being retaken, &c. That this is strictly to be observed with regard to the Serapis and Countess of Scarborough. Their High Mightinesses authorise the said Admiralty to order matters so that these five ships do put to sea as soon as possible, and that they take care they are not furnished with any warlike or naval stores but what are absolutely necessary to carry them safe to the first foreign port they can come at, in order that all suspicion of their being fitted out here may drop.

Memorial presented by Sir Joseph Yorke, his Majesty's Ambassador at the Hague, to their High Mightinesses, requesting the delivering up the Serapis and Countess of Scarborough, taken by Paul Jones.

High and Mighty Lords,
IN thanking your High Mightinesses for the orders which your

humanity dictated relative to the wounded men on board the two King's ships the Serapis and Countess of Scarborough, I cannot but comply with the strict orders of his Majesty, by renewing in the strongest and most pressing manner his request that these ships and their crews may be stopped, and delivered up, which the pirate Paul Jones of Scotland, who is a rebel subject, and a criminal of the State, has taken.

The sentiments of equity and justice which your High Mightinesses possess, leave me no room to doubt but that, upon mature deliberation upon all the circumstances of this affair, you will acknowledge the reasonableness of this request, founded both on the most solemn treaties now subsisting between Great Britain and the United Provinces, and the right and customs of nations in friendship and alliance.

The stipulation of the treaty of Breda of the 10th of July 1667, (Old Style) confirmed particularly in that of 1716, and all the later ones, are too clear and incontestible in that respect for the full force of them not to be left.

The King would think he derogated from his own dignity, as well as that of your High Mightinesses, was he to enter into the particulars of a case so notorious as that in question, or to set before the eyes of the ancient friends and allies of his crown analogous examples of other Princes and States; but will only remark, that all the placards even of your High Mightinesses require that all the captains of foreign armed vessels shall, upon their arrival, present their letters of marque or commission,

tion, and authorises, according to the custom of Admiralties, to treat all those as pirates whose letters are found to be illegal for want of being granted by a sovereign power.

The quality of Paul Jones, and all the circumstances of the affair, are too notorious for your High Mightinesses to be ignorant of them. The eyes of all Europe are fixed upon your resolution; your High Mightinesses know too well the value of good faith not to give an example of it in this essential rencontre. The smallest deviation from so sacred a rule, by weakening the friendship of neighbours, may produce serious consequences.

The King has always gloried in cultivating the friendship of your High Mightinesses; his Majesty constantly persists in the same sentiments; but the English nation does not think that it any ways has deserved its fellow-citizens to be imprisoned in the ports of the republic by a man of no character, a subject of the same country, and who enjoys that liberty which they are deprived of.

It is for these and many other strong reasons, which cannot escape the wisdom and penetration of your High Mightinesses, that the underwritten hopes to receive a speedy and favourable answer conformable to the just expectations of the King his master and the British nation.

(Signed)

JOSEPH YORKE.

Done at the Hague, Oct. 29, 1779.

The answer which their High Mightinesses caused to be given to the above memorial was in brief; "That they will in no respect

take upon them to judge of the legality or illegality of those who have on the open sea taken any vessels which do not belong to their country; that they only open their ports to give them shelter from storms or other disasters; and that they oblige them to go to sea again with their prizes without suffering them to unload or dispose of any part of their cargoes, that they may be liable to be re-taken in the same state they were taken; but do not think themselves authorized to pass judgment upon those prizes, or the person of Paul Jones, &c."

Memorial presented by Sir Joseph Yorke, to their High Mightinesses, Nov. 26th, 1779.

High and Mighty Lords,

THE King cannot without surprise see the silence that has been observed, with regard to the memorial which the underwritten had the honour to present upwards of four months ago to your High Mightinesses, requiring the succours stipulated by treaty.

His Majesty would not have claimed the assistance of his allies, if he had not been fully authorized to it by the menaces, the preparations, and even the attacks of his enemies; and if he had not thought your High Mightinesses as much interested in the preservation of Great Britain as in their own.

The spirit and the letter of the treaties confirm this truth. Your High Mightinesses are too wise and too just to dispense with the observance of them, having particularly yourselves solicited the addition

addition of the separate article of the treaty of 1716, in which the *Casus Fœderis* is stipulated in a clear and incontestible manner.

The hostile declaration made at London by the Marquis de Noailles, the attack of Jersey, the siege of Gibraltar, and all the other notorious enterprizes, are so many clear proofs of a manifest aggression. Besides which, your High Mightinesses have seen, during the past summer, that the combined forces of the House of Bourbon were evidently directed against his Majesty's kingdoms; and although the vigorous measures of the King, the zealous and patriotic efforts of the nation, crowned with the blessings of Providence, have happily hitherto frustrated their ambitious designs, yet the danger exists still, and the enemy continues still to announce their intended attacks and invasions, under the protection of their naval forces.

The King can never imagine that the wisdom of your High Mightinesses can permit them to remain indifferent in interests so solid and so common to both countries, and still less that they should not be convinced of the justice of the motives which have determined his Majesty to claim that succour which is his due on so many accounts. His Majesty would rather persuade himself that your High Mightinesses, having resolved to augment their navy, had through prudence kept back their answer till they were better able to furnish the succour required.

It is for this reason, that, in renewing this subject in the most pressing manner, I have orders to request of your High Mightinesses most amicably not to defer the

concerting of measures, in order to fulfil their engagements on this head. The decision of your High Mightinesses is so necessary, and so important in its consequences, that the King would think himself wanting to himself, his subjects, and the republic, if his Majesty did not recommend this affair immediately to the most serious deliberation of your High Mightinesses. It is of infinite import to the King to have matters made clear, by a speedy and immediate answer to so essential an object.

His Majesty hopes, from the equity of your High Mightinesses, that their answer will be conformable to the treaties and the sentiments of friendship he has always had for the republic; and it will be according to the resolutions of your High Mightinesses that his Majesty proposes to take such future measures as may be most adapted to circumstances, and most proper for the security of his estates, the welfare of his people, and the dignity of his crown.

Done at the Hague, Nov. 26, 1779.

(Signed)

JOSEPH YORKE.

Treaty of Friendship and Commerce between the French King and the United States of North America.

THE Most Christian King, and the Thirteen United States of North America, viz. New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, the Counties of Newcastle, Kent, and Sussex on the Delaware,

ware, Maryland, Virginia, North and South Carolina, and Georgia, desirous of establishing, in an equitable and permanent manner, the rules which ought to be observed, relative to the correspondence and commerce, which the two parties wish to establish between their respective states, dominions and subjects; his most Christian Majesty and the said United States have thought proper, and as most conducive to this end, to found their arrangements on the basis of the most perfect equality and reciprocal advantage, taking care to avoid disagreeable preferences, the sources of altercation, embarrassment, and discontent; to leave to each party the liberty, respecting commerce and navigation, of making such interior regulations as shall suit themselves; to found their commercial advantages as well on reciprocal interest, as on the laws of mutual agreement; and thus to preserve to both parties the liberty of dividing, each according to his will, the same advantages with other nations. In this idea, and to accomplish these views, his said Majesty, having nominated and appointed, as his plenipotentiary, M. Conrad Alexander Gerard, royal Syndic of the city of Strasburgh, Secretary of his Majesty's Council of State; and the United States having, on their part, invested with full powers Mess. Benjamin Franklin, Deputy of the General Congress of the State of Pennsylvania, and president of the assembly of the said state; Silas Deane, formerly Deputy of the State of Connecticut; and Arthur Lee, Counsellor at Law: the said plenipotentiaries respectively, after having exchange-

VOL. XXII.

ed their credentials, and upon mature deliberation, have concluded and agreed to the following articles:

Art. I. A firm, inviolable, and universal peace, and a true and sincere friendship, shall subsist between the most Christian King, his heirs and successors, and the United States of America, as well as between his most Christian Majesty's subjects, and those of the said states; as also between the people, islands, cities, and places, under the government of his Christian Majesty, and the said United States; and between the people and inhabitants of all classes, without any exception to persons or places. The conditions mentioned in the present treaty, shall be perpetual and permanent between the most Christian King, his heirs and successors, and the said United States.

Art. II. The most Christian King and the United States mutually engage, not to grant any particular favour to other nations, respecting commerce and navigation, which shall not be immediately made known to the other party; and such nation shall enjoy that favour gratuitously, if the concession is such, or in granting the same compensation, if the concession is conditional.

Art. III. The subjects of the most Christian King shall not pay, in the ports, harbours, roads, countries, islands, cities, and places of the United States, any greater duties or imposts, of what nature soever they may be, or by whatever name they may be called, than such as the most favoured nation shall pay; and they shall enjoy all the rights, liberties, privileges, im-

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menties, and exemptions, in point of trade, navigation, and commerce, whether in passing from one port of the said States to another, or in going thither, or in returning from or going to any part of the world whatever, as the said nations may or shall enjoy.

Art. IV. The subjects, people, and inhabitants of the said United States, or each of them, shall not pay, in the ports, harbours, roads, islands, cities, and places, within the dominions of his most Christian Majesty in Europe, any greater duties or imposts, of what nature soever they may be, or by whatever name they may be called, than the most favourite nation are or shall be bound to pay; and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions, in point of trade, navigation, and commerce, whether in passing from one port to another of the said dominions of the most Christian King in Europe, or in going thither, or in returning from or going to any part of the world whatever, as the said nations may or shall enjoy.

Art. V. In the above exemption is particularly comprized the imposition of one hundred pence per ton, established in France upon foreign ships; excepting when the ships of the United States shall load with French merchandizes in one port of France for another in the same kingdom; in which case the said ships of the said United States shall discharge the usual rights, so long as the most favourite nations shall be obliged to do the same; nevertheless, the said United States, or any of them, shall be at liberty to establish, when-

ever they shall think proper, a right equivalent to that in question, in the same case as it is established in the ports of his most Christian Majesty.

Art. VI. The most Christian King shall use all the means in his power to protect and defend all the ships and effects belonging to the subjects, people, and inhabitants of the said United States, and of each of them, which shall be in his ports, harbours, or roads, or in the seas near his territories, countries, isles, cities, and places; and shall use every effort to recover and restore to the lawful proprietors, their agents or order, all the ships and effects which shall be taken within his jurisdiction; and his most Christian Majesty's ships of war, or other convoys, sailing under his authority, shall take, on every occasion, under their protection the ships belonging to the subjects, people, and inhabitants of the said United States, or any of them, which shall keep the same course and make the same rout, and defend the said ships, so long as they shall keep the same course and make the same rout, against every attack, force, or violence, in the same manner as they are bound to defend and protect the ships belonging to the subjects of his most Christian Majesty.

Art. VII. In like manner the said United States, and their ships of war sailing under their authority, shall protect and defend, agreeable to the contents of the preceding article, all the ships and effects belonging to the most Christian King, and shall use all their efforts to recover and restore the said ships and effects, which shall be taken within the extent of the jurisdiction.

jurisdiction of the said United States, or either of them.

Art. VIII. The most Christian King will employ his endeavours and mediation with the King or Emperor of Morocco or Fez, with the Regencies of Algier, Tunis, and Tripoli, or any of them, as well as with every other Prince, State, or Powers, of the Barbary coast in Africa, and with the subjects of the said King, Emperor, States and Powers, and each of them, to secure, as fully and effectually as possible, to the advantage, convenience, and security, of the said United States, and each of them, as also their subjects, people, and inhabitants, their ships and effects, against violence, insult, attack, or depredation, on the part of the said Barbary Princes and States, or their subjects.

Art. IX. The subjects, inhabitants, merchants, commanders of ships, masters, and seamen, of the states, provinces, and dominions of the two parties, shall reciprocally refrain from and avoid fishing in any of the places possessed, or which shall be possessed, by the other party. The subjects of his most Christian Majesty shall not fish in the harbours, bays, creeks, roads, and places, which the said United States possess, or shall hereafter possess; and in the same manner the subjects, people, and inhabitants, of the said United States, shall not fish in the harbours, bays, creeks, roads, coasts, and places, which his most Christian Majesty actually possesses, or shall hereafter possess; and if any ship or vessel shall be surprized fishing, in violation of the present treaty, the same ship or vessel, and its cargo, shall,

upon clear proof, be confiscated. Provided, the exclusion stipulated in the present article shall stand good only so long as the King and the United States shall not suffer it to be enjoyed by any other nation whatever.

Art. X. The United States, their citizens and inhabitants, shall never disturb the subjects of the most Christian King in the enjoyment and exercise of the right of fishing on the banks of Newfoundland, any more than in the unlimited and exclusive enjoyment they possess on that part of the coast of that island, as specified in the treaty of Utrecht, nor in the rights relative to all and each of the isles which belong to his most Christian Majesty; the whole conformable to the true sense of the treaties of Utrecht and Paris.

Art. XI. The subjects and inhabitants of the said United States, or any of them, shall not be considered as foreigners in France, and consequently shall be exempt from the right of escheatage, or any other such like right, under any name whatever; they may, by will, donation, or otherwise, dispose of their goods, moveables, and fixtures, in favour of whom they shall please; and their heirs, subjects of the said United States, resident in France or elsewhere, shall succeed to them, *ab intestat*, without being obliged to obtain letters of naturalization, and without being exposed to any molestation or hindrance, under pretence of any rights or prerogatives of provinces, cities, or private persons; and the said heirs, either by particular title, or *ab intestat*, shall be exempt from all right of detraction, or other right of that kind, provided that

such or the like local rights are not established by the said United States, or any of them. The subjects of the most Christian King shall enjoy, on their side, in all the dominions of the said States, an entire and perfect reciprocation, with respect to the stipulations included in the present article.

But it is at the same time agreed, that the contents of this article shall not affect the laws made in France against emigrations, or such as may be made hereafter, such being left in their full force and vigour; the United States, on their side, or any of them, shall be free to make such laws, respecting that matter, as they shall judge proper.

Art. XII. The merchant ships of both parties, which shall be bound to any port, belonging to a power then an enemy of the other ally, and of which the voyage, or nature of its cargo, shall give just suspicions, shall be bound to produce, either on the high seas, or in ports and harbours, not only their passports, but also certificates, which shall expressly state, that their cargoes are not of prohibited and contraband wares.

Art. XIII. If the contents of the said certificates leads to a discovery, that the ship carries prohibited and contraband merchandizes, consigned to an enemy's port, it shall not be permitted to open the hatches of the said ship, nor any case, chest, trunk, bale, cask, or other cases, contained therein, or to displace or remove the least part of the merchandize, whether the ship belongs to the most Christian King, or to the inhabitants of the United States, until the cargo has been landed in the presence of the officers of the Ad-

miralty, and an inventory taken of them; but they shall not be permitted to sell, exchange, or dispose of the ships or cargoes, in any manner whatever, until a fair and legal enquiry has been made, the contraband declared, and the Court of Admiralty shall have pronounced the confiscation by judgment, nevertheless without prejudice of ships or cargoes, which, by virtue of this treaty, should be considered as free. It shall not be permitted to retain merchandizes, under pretence that they were found among contraband goods, and still less to confiscate them as legal prizes. In case where a part only, and not the whole of the cargo, consists of contraband articles, and that the commander of the ship consents to deliver up to the captor what shall be discovered, then the captain, who shall have made the prize, after having received those articles, shall immediately release the ship, and in no manner prevent it from pursuing its voyage; but in case that the whole of the contraband articles cannot be all taken into the vessel of the captor, then the captain of such vessel shall remain master of his prize, notwithstanding the offer to give up the contraband goods, and conduct the ship into the nearest port, conformably to what is above specified.

Art. XIV. It is agreed, on the contrary, that every thing that shall be found embarked by the respective subjects, in ships belonging to the enemies of the other party, or their subjects, shall be confiscated, without regard to their being prohibited or not, in the same manner as if they belonged to the enemy; excepting, however, such effects and merchandizes as
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had been put on board the said ships before the declaration of war, or even after the said declaration, if they were ignorant of it at the time of loading; so that the merchandizes of the subjects of both parties, whether they be found among contraband goods or otherwise, which, as hath been just mentioned, shall have been put on board a ship, belonging to the enemy, before the war, or even after the said declaration, when unknown to them, shall not be, in any manner, subject to confiscation, but shall be faithfully and truly restored, without delay, to the owners who shall claim them; it must, however, be understood, that it will not be permitted to carry contraband goods into an enemy's ports. The two contracting parties agree, that after the expiration of two months, from the declaration of war, their respective subjects, from what part of the world soever they shall come, shall not be permitted to plead ignorance of the question in this article.

Art. XV. And in order the more effectually to secure the subjects of the two contracting parties from receiving any prejudice from the ships of war or privateers of either party, orders shall be given to all captains of ships of his most Christian Majesty and the said United States, and to all their subjects, to avoid offering insult or doing damage to the ships of either party; and whoever shall act contrary to these orders, shall be punished for it, and shall be bound and obliged personally, in their own effects, to repair all such damages and losses.

Art. XVI. All ships and merchandizes of what nature soever,

which shall be taken out of the hands of pirates on the high seas, shall be conducted into some port of the two States, and shall be committed to the care of the officers of the said port, in order that they may be entirely restored to the right owner, as soon as such property shall be fully and clearly proved.

Art. XVII. The ships of war of his most Christian Majesty, and those of the United States, as well as privateers fitted out by their subjects, shall be at full liberty to conduct where they please such prizes as they shall take from the enemy, without being amenable to the jurisdiction of their admirals or admiralty, or any other power; and the said vessels, or prizes, entering into the harbours or ports of his most Christian Majesty, or those of the said United States, shall be neither stopped nor seized, nor shall the officers of such places enquire into the validity of the said prizes, but shall be permitted to depart freely and at full liberty, to such places as directed in the commissions, which the captains of the said ships shall be obliged to produce. And, on the contrary, they shall neither give security nor retreat, in their ports or harbours, to any prizes made on the subjects of his Majesty, or the said United States; and, if such shall be found to enter their ports, through storms or dangers of the sea, they shall be obliged to depart as soon as possible.

Art. XVIII. Should a ship, belonging to either of the two States, or their subjects, run aground, be wrecked, or suffer other damages, upon the coasts belonging to one of the two parties, they shall give

all friendly aid and assistance to such as are in danger, and take every method to secure their safe passage, and return to their own country.

Art. XIX. When the subjects and inhabitants of one of the two parties with their ships, whether men of war, privateers, or merchantmen, shall be forced by foul weather, by the pursuits of pirates or enemies, or by any other urgent necessity, to seek shelter and refuge, to run into and enter some river, bay, road, or port, belonging to one of the two parties, they shall be received and treated with humanity and kindness, and shall enjoy all the friendship, protection, and assistance, and shall be permitted to procure refreshments, provisions, and every thing necessary for their subsistence, for the repairing of their ships, and to enable them to pursue their voyage, paying a reasonable price for every thing; and they shall not be detained in any manner, nor prevented quitting the said ports or roads, but shall be permitted to depart at pleasure, without any obstacle or impediment.

Art. XX. In order the better to promote the commerce of the two parties, it is agreed, that in case a war should commence between the two said nations, six months shall be allowed, after the declaration of war, to the merchants living in their towns and cities, to collect and transport their merchandize; and, if any part of them shall be stolen or damaged, during the time above prescribed, by either of the two parties, their people or subjects shall be obliged to make full and perfect satisfaction for the same.

Art. XXI. No subject of the most Christian King shall take a commission, or letters of marque, to arm any ship or vessel, to act as a privateer against the said United States, or any one of them, or against their subjects, people or inhabitants, or against their property, or that of the inhabitants of any of them, from any Prince whatever, with whom the said United States shall be at war. In like manner, no citizen, subject, or inhabitant of the said United States, or any of them, shall demand or accept any commission, or letters of marque, to arm any ships or vessels, to act against the subjects of his most Christian Majesty, or any of them, or their property, from any Prince or State whatever, with whom his said Majesty may be at war; and if any of the two nations shall take such commissions, or letters of marque, they shall be punished as pirates.

Art. XXII. No foreign privateer, not belonging to some subject of his most Christian majesty, or to a citizen of the said United States, which shall have a commission from any Prince or power at war with one of the two nations, shall be permitted to arm their ships in the ports of one of the two parties, nor to sell their prizes, nor to clear their ships, in any manner whatever, of their merchandizes, or any part of their cargo; they shall not even be permitted to purchase any other provisions, than such as are necessary to carry them to the nearest port of the Prince or State, of whom they hold their commission.

Art. XXIII. All and each of the subjects of the most Christian King,

as well as the citizens, people, and inhabitants, of the said United States, shall be permitted to work their vessels, in full liberty and security, without any exception being made thereto, on account of the proprietors of merchandizes on board the said vessels, coming from any port whatever, and destined for some place belonging to a power actually an enemy, or which may become such, of his Most Christian Majesty or the United States. It shall be equally permitted to the subjects and inhabitants above-mentioned, to navigate their ships and merchandizes, and to frequent, with the same liberty and security, the places, ports, and havens, of the powers, enemies to the two contracting parties, or one of them, without opposition or molestation, and to trade with them, not only directly from ports of the enemy to any neutral port, but also from one port of the enemy to another of the same, whether under the jurisdiction of one or more; and it is stipulated by the present treaty, that all free vessels shall equally enjoy the liberty of trade, and that every thing shall be judged free which is found on board the ships belonging to the subjects of one of the contracting parties, even though the cargo, or part of it, should belong to the enemies of one of them; excepting alway, however, all contraband goods. It is equally agreed, that the same liberty shall extend to persons on board such free ships, even though they shall be enemies to one of the two contracting parties, and shall not be taken from the said ships, unless in arms, and actually in the enemy's service.

Art. XXIV. This free navigation and commerce is extended to all sorts of merchandizes, excepting only such as shall be deemed contraband or prohibited, and under such denomination are comprehended arms, cannons, bombs, with their fuses and other appurtenances, bullets, powder, matches, piques, swords, lances, darts, halberds, mortars, petards, grenades, saltpetre, fusils, balls, bucklers, casques, cuirasses, coats of mail, and other arms of that kind, proper for the defence of soldiers; gun-locks, shoulder-belts, horses and their trappings, and all other instruments of war whatever. The following merchandizes are not to be considered as contraband or prohibited, viz. all sorts of cloths, and other woollen stuffs, linen, silk, cotton, or other such matters; all sorts of clothes, with the materials of which they are usually made; gold and silver either in specie or otherwise, pewter, iron, latten, copper, brass, coals, and even wheat and barley, and all other sorts of grain and roots; tobacco and all sorts of spices, salted and dried provisions, dried fish, cheese and butter, beer, oil, wine, sugar, and all kinds of salt, and, in general, all kinds of provision necessary for the nourishment of man, and for the support of life; also all sorts of cotton, hemp, linnen, pitch, tar, cords, cables, sails, canvas for sails, anchors, parts of anchors, masts, planks, timber and wood of all kinds, and all other things proper for the building and repairing of ships, and other matters whatsoever, which are not in the form of warlike instruments for sea or land, shall not be reputed contraband, much

much less such as are already prepared for other uses. All the articles above-mentioned are to be comprised among the free articles of merchandize, as well as all the other merchandizes and effects, which are not comprised and particularly named in the list of contraband merchandizes; so that they may be transported and conducted, in the freest manner, by the subjects of the two contracting parties, into any of the enemy's ports; excepting, however, that such places are not actually besieged, blocked up or invested.

Art. XXV. In order to remove and prevent dissensions and quarrels on either side, it is agreed, that in case one of the two parties shall find themselves engaged in a war, the ships and vessels belonging to the subjects or people of the other ally, shall be provided with marine passports, which shall express the name, property, and burden of the ship, as well as the name and place of abode of the master and commander of the said ship, in order that it may from thence appear that the same ship really and truly belongs to the subjects of one of the two contracting parties. These passports are to be annually renewed, in case the ship returns home in the space of one year. It is also agreed, that the above-mentioned ships, in case they shall be laden, are to be provided not only with passports, but also with certificates, containing the particulars of the cargo, the place from whence the ship came, and a declaration of what contraband goods are on board; which certificate is to be made in the accustomed form, by the officers of the place from whence the ship

failed; and if it be judged necessary or prudent, to express in the said passports the persons to whom the merchandize belongs, it must be freely complied with.

Art. XXVI. In case any ships of the subjects and inhabitants of one of the two contracting parties should approach the coast of the other, without any intention to enter the port, or, after having entered it, without any intention to unload their cargo, or break bulk, they shall conduct themselves, in that respect, according to the general rules prescribed, or to be prescribed, relative to that matter.

Art. XXVII. When any vessel, belonging to the said subjects, people, and inhabitants, of one of the two parties, shall meet, while sailing along the coast or on the open sea, a ship of war or privateer, belonging to the other, the said ship of war or privateer, in order to avoid disorder, shall bring such vessel too, and send her boat with two or three on board her, to whom the master or commander of the merchantman shall produce his passport, and prove the property of the vessel; and as soon as such passport shall be produced, the master shall be at liberty to pursue his voyage, without being molested, or in any other manner driven or forced to alter his intended course.

Art. XXVIII. It is agreed, that when the merchandizes shall be put on board ships or vessels of one of the two contracting parties, they shall not be subject to be examined again, all such examination and search being to be made before loading, and the prohibited goods being to be stopped and seized on shore, before they could be embarked,

barked, unless there are strong suspicions or proofs of fraudulent practices. So that no subject of his Most Christian Majesty, or of the United States, can be stopped or molested for that cause by any kind of embargo; but such subjects of the State, who shall presume to vend or sell such merchandizes as are prohibited, shall be duly punished for such infraction of the treaty.

Art. XXIX. The two contracting parties mutually grant each other the right of maintaining, in their respective ports, Consuls, Vice-Consuls, Agents, and Commissaries, whose business shall be regulated by a particular convention.

Art. XXX. In order further to forward and facilitate the commerce between the subjects of the United States and France, the Most Christian King will allow them in Europe one or more free ports, to which they may bring and sell all the commodities and merchandizes of the Thirteen United States. His Majesty will also grant to the subjects of the said States, the free ports, which have been, and are open, in the French Islands of America; all which free ports the said subjects of the United States shall enjoy, conformably to the regulations which determine that matter.

Art. XXXI. The present treaty shall be ratified by both parties, and the ratifications exchanged, within the space of six months, or sooner if may be. In witness of which, the respective Plenipotentiaries have signed the above articles, both in the French and English language, nevertheless declaring, that the present treaty was

originally digested and settled in the French language, to which they have affixed their hands and seals.

Given at Paris the sixth day of the month of February, one thousand seven hundred and seventy-eight.

C. A. GERARD,
B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

*By the Congress of the United States
of America.*

MANIFESTO.

THESE United States having been driven to hostilities by the oppressive and tyrannous measures of Great Britain; having been compelled to commit the essential rights of man to the decision of arms; and having been at length forced to shake off a yoke which had grown too burthenome to bear, they declared themselves free and independent.

Confiding in the justice of their cause, confiding in Him who disposes of human events, although weak and unprovided, they set the power of their enemies at defiance.

In this confidence they have continued, through the various fortune of three bloody campaigns, unawed by the powers, unsubdued by the barbarity of their foes. Their virtuous citizens have borne, without repining, the loss of many things which made life desirable. Their brave troops have patiently endured the hardships and dangers of a situation, fruitful in both beyond example.

The

The Congress considering themselves bound to love their enemies, as children of that Being who is equally the Father of all, and desirous, since they could not prevent, at least to alleviate the calamities of war, have studied to spare those who were in arms against them, and to lighten the chains of captivity.

The conduct of those serving under the King of Great Britain hath, with some few exceptions, been diametrically opposite. They have laid waste the open country, burned the defenceless villages, and butchered the citizens of America. Their prisons have been the slaughter-houses of her soldiers, their ships of her seamen, and the severest injuries have been aggravated by the grossest insults.

Foiled in their vain attempt to subjugate the unconquerable spirit of freedom, they have meanly assailed the Representatives of America with bribes, with deceit, and the servility of adulation. They have made a mock of humanity, by the wanton destruction of men: they have made a mock of religion, by impious appeals to God, whilst in the violation of his sacred commands: they have made a mock even of reason itself, by endeavouring to prove, that the liberty and happiness of America could safely be entrusted to those who have *sold their own*, unawed by the sense of virtue, or of shame.

Treated with the contempt which such conduct deserved, they have applied to individuals; they have solicited them to break the bonds of allegiance, and imbrue their souls with the blackest of

crimes: but fearing that none could be found through these United States, equal to the wickedness of their purpose, to influence weak minds, they have threatened more wide devastation.

While the shadow of hope remained, that our enemies could be taught by our example to respect those laws which are held sacred among civilized nations, and to comply with the dictates of a religion which they pretend in common with us to believe and revere, they have been left to the influence of that religion, and that example. But since their incorrigible dispositions cannot be touched by kindness and compassion, it becomes our duty by other means to vindicate the rights of humanity.

We, therefore, the Congress of the United States of America, do SOLEMNLY DECLARE AND PROCLAIM, That if our enemies presume to execute their threats, or persist in their present career of barbarity, we will take such exemplary vengeance as shall deter others from a like conduct. We appeal to that God who searcheth the hearts of men, for the rectitude of our intentions. And in his holy presence we declare, That as we are not moved by any light and hasty suggestions of anger or revenge, so through every possible change of fortune we will adhere to this our determination.

Done in Congress, by unanimous consent, the thirtieth day of October, one thousand seven hundred, and seventy-eight.

Attest,

CHARLES THOMSON, Sec.

CHARACTERS.



CHARACTERS.

Account of Michel Schuppach, the Mountain Doctor. From Coxe's Sketches of the Natural, Civil and Political State of Switzerland.

Langenau, Sept. 18, 1776.

YOU have heard, perhaps, of Michel Schuppach, the famous Swiss doctor; of whose intuitive sagacity in discovering the seat of disorders, and applying suitable remedies to them, many wonderful stories are recounted by travellers, and which generally, I suppose, have encreased in the marvellous, like Virgil's Progress of Fame, in proportion as they receded from the scene of action. I am now lodged in the house of this celebrated *Æsculapius*: it is situated above the village of Langenau, on the side of a steep mountain; and from that circumstance he is generally known by the appellation of *the physician of the mountain*.

Upon our arrival here we found the doctor in his apartment, surrounded by a number of peasants, who were consulting him upon their respective complaints; each having brought with him a small bottle, containing some of his water: for, it is by inspecting the urine that this medical sage pretends to judge of the state of the patient. His figure is ex-

tremely corpulent; he has a penetrating eye; and one of the best-humoured countenances I ever saw. He sets himself opposite to the person who consults him, one moment examining the water, and the next the patient; and continues regarding alternately the one and the other for some time, always whistling during the intervals. He then opens the state of the case, acquaints the consultant with the nature of his complaints, and has often the good fortune to hit upon the true cause. In a word, his knack of discovering disorders by urine, has gained such implicit faith in his skill, that one might as well doubt of the Pope's infallibility before a zealous catholic, as of the doctor's in the presence of his patients. He has certainly performed several great cures; and the rumour of them hath brought him patients from all quarters of Europe. There are at this time in his house, and in the village, several English and French people, together with many Swiss, who are come hither for his advice.

The doctor was formerly, it seems, a village surgeon, has a slight tincture of anatomy, and is esteemed a proficient in botany and chemistry; but his reputa-

tion as a physician has now been established some years. He is said to have but little acquaintance with the theory of physic; the greatest part of his knowledge being derived from his extensive practice, notwithstanding he never stirs a quarter of a mile from his own house; for he would not take the trouble of going to Berne, even to attend the King of France.

It is more than probable, that much of this extraordinary man's success in his practice, is owing to the great faith of his patients, to the benefit they receive from change of climate, to the salubrious air of this mountain, and to the amusement arising from that constant succession of different company which assemble in this place, in order to apply to him for assistance. But whatever may have been the causes of his celebrity, it has come to him, as all accounts agree, unsought for by himself. He has certainly many excellent qualities: humane and charitable to the highest degree; he not only furnishes the indigent peasants who consult him, with medicines gratis, but generally makes them a present in money besides; and he always appropriates a certain portion of his gains to the poor of his parish. His wife, as also his grand-daughters who live with him, are dressed like the peasant women of the country; and he has shewn his good sense in giving the latter no better than a plain education: the eldest he bestowed in marriage, when she was but fifteen, upon one of his assistants, and gave with her 1300*l.* no inconsiderable portion for this country. He pro-

cured a match for her so early, he said, to prevent her being spoiled by the young gentlemen telling her she was pretty, and inspiring her with the ambition of marrying above her rank.

If domestic harmony, and the most perfect simplicity of manners, have any pretensions to please, you would be highly delighted with this rural family. The wife is a notable, active woman, and not only superintends all the household affairs with remarkable cleverness, but even performs great part of the business with her own hands: she assists her husband likewise in making up his medicines; and as he talks no other language than the Swiss-German, she serves occasionally as his interpreter. And, as a proof of his confidence in her administration of his affairs, she acts also as his treasurer, and receives all his fees; which, in the course of a year, amount to a considerable sum: for, although he never demands more than the price of his medicines, yet no gentleman consults him without giving him an additional gratuity. Many presents have likewise been made to herself, from persons who have reaped benefit by her husband's prescriptions: several of these consist of valuable trinkets, with which on days of ceremony she decks herself forth to the best advantage, in the simple dress of the country.

The family sit down to table regularly at twelve o'clock; there are always some strangers of the party, consisting not only of a certain number of persons who are under the doctor's care, but of travellers like ourselves, who are led hither by motives of mere curiosity.

fitly. When the weather is fine, and their guests more numerous than usual, dinner is served out of doors in an open shed, that looks upon one side of the mountain and the adjacent country, with a distant view of the glaciers beyond the lake of Thun. Yesterday some peasants, whom the doctor had invited, formed part of our company; after dinner, he gave some money to those that sat near him, and ordered one of his granddaughters to distribute his bounty to the others. The benevolence of the old man, his gaiety and good-humour, the cheerfulness of his family, the gratitude of the poor peasants, the beauty of the prospect, and the fineness of the weather, formed all together the most agreeable and delightful scenes I ever beheld; and I do not remember in my whole life to have partaken of any meal with a more sensible and heart-felt satisfaction.

This singular man is very often employed in giving his advice from eight in the morning till six in the evening, with no other intermission than during the time he is at table. His drugs are of the best kind; for he collects the simples, as well as distills them, himself. His house, like those of the peasants, is constructed of wood; and, though always full of people, is remarkably neat and clean. In short, every thing about him has the appearance of the pleasing simplicity of former ages.

I had almost forgotten to tell you, that I consulted him this morning myself; and assuredly I have reason to be highly satisfied with his prescription: for, he told

me I was in such good health, that the only advice he had to give me, was, "to eat and drink well, to dance, be merry, and take moderate exercise."

It is now Langenau fair, and the village is crowded with the neighbouring peasants. Great numbers of the men have long beards, and many of them cover their heads with a woman's straw hat, extremely broad, which gives them a very grotesque appearance: their dress is chiefly a coarse brown cloth jacket without sleeves; with large puffed breeches of ticking. The women wear their hair plaited behind in tresses, with the riband hanging down below the waist; a flat plain straw hat, which is very becoming; a red or brown cloth jacket without sleeves; a black or blue petticoat bordered with red, and scarcely reaching below the knees; red stockings with black clocks, and no heels to their shoes; their shifts fastened close round the throat by a black collar with red ornaments; the better sort have chains of silver between the shoulders, brought round under each arm, and fastened beneath the bosom, the ends hanging down with some silver ornaments.

I am so charmed with the situation of this village, the cheerfulness and singularity of this rustic and agreeable family, and the uncommon character of the humane doctor, that I could with pleasure continue here some days more: but I am pressed for time, and have a long journey before me.

I am, &c.

Account of the Constitution and Government of Geneva. From the same.

THE town of Geneva lies upon the narrowest part of the extremity of the lake, where the Rhone issues out in two large and rapid streams, which soon afterwards unite. That river divides the town into two unequal parts; receives the muddy Arve in its course; and flows through part of France into the Mediterranean. Here its waters are of a most beautiful transparent green, like those of the Rhine when it flows from the lake of Constance. The adjacent country is uncommonly picturesque; and I could not sufficiently admire the magnificent views it exhibits: the several objects which composed this enchanting prospect, were, the town; the lake; the numerous hills and mountains, particularly the Saleve and the Mole, rising suddenly from the plain in a wonderful variety of fantastic forms, backed by the glaciers of Savoy, with their frozen tops glistening in the sun; and the majestic Mont Blanc lifting up its head far above the rest.

The town, which lies partly in the plain upon the borders of the lake, and partly upon a gentle ascent, is irregularly built; the houses are high, and most of those which stand in the trading part of the city, have arcades of wood, which are carried up to their tops. These arcades, which are supported by pillars, obstruct the streets, and give them a gloomy appearance; but they are useful to the inhabitants in protecting them from the sun and the rain. Ge-

neva is by far the most populous town in Switzerland: for, Zurich, which comes next to it in respect of population, contains scarcely thirteen thousand souls; whereas the inhabitants of this place amount to twenty-four thousand. This superiority is undoubtedly owing to the greater industry and activity of the inhabitants; to its more extensive commerce; to the facility of purchasing the burghership, and to the privileges which government allows to all foreigners who settle here. The members of this city are distinguished into citizens and burghesses, inhabitants and natives. The citizens and burghesses are alone admitted to a share in the government: the *inhabitants* are strangers who are allowed to settle in the town with certain privileges; and the *natives* are the sons of those inhabitants, who possess certain additional advantages. The two last classes form a large majority of the people.

The liberal policy of this government, in receiving strangers and conferring the burghership, is the more remarkable, as it is contrary to the spirit of most of the other states of Switzerland. It is here, indeed, more necessary; the territory of this republic being so exceedingly small, that its very existence depends upon the number and industry of the people: for, exclusive of the inhabitants of the town, there are scarcely sixteen thousand souls in the whole district of the Genevois.

To a man of letters, Geneva is particularly interesting; as every branch of science is here cultivated in the most advantageous manner: learning is divested of pedantry,

dantry, and philosophy united with a knowledge of the world. The pleasures of society are here mixed with the pursuits of literature; and elegance and urbanity give a zest to the profoundest disquisitions. Nor are letters confined in this city merely to those who engage in them as a profession, or to those whose fortune and leisure enable them to follow where genius leads, and enter into a studious life by voluntary choice; even the lower class of people are exceedingly well informed; and there is no city in Europe where learning is so universally diffused among the inhabitants. I have had great satisfaction in conversing with several of the shop-keepers upon topics both of literature and politics; and was astonished to find, in this class of men, so uncommon a share of knowledge. But the wonder ceases, when we are told, that they have all of them received an excellent education at the public academy, where the children of the inhabitants are taught, under the inspection of the magistrates, and at the expence of government.

There is one circumstance in this seminary, which particularly contributes to the exciting of the industry and emulation of the students: prizes are annually distributed to those, who have distinguished themselves in each class. These rewards consist of small medals, and they are conferred with such solemnity as cannot fail of producing great effect. A yearly meeting is held at the cathedral, of all the magistrates, professors, and principal inhabitants of the town; when the first syndic him-

self distributes, in the most public manner, the several honorary retributions to those who have deserved them. I met this morning one of the scholars, and, seeing his medal, asked him what it meant? "*Je la porte*," replied the little man, scarce eight years old, "*parce que j'ai fait mon devoir*." I wanted no stronger proof to convince me of the beneficial influence, upon young minds, of these encouraging and judicious distinctions, than appeared from the sprightly specimen before me.

The inhabitants enjoy the advantage also of having free access to the public library; and by this privilege, they not only retain but improve that general tincture of learning which they imbibe in their early youth: when I visited this library, it happened to be crowded with students, who were returning the books they had borrowed, and demanding others. As I passed only an hour in this room, I am ill qualified to give you a just idea of its contents; I requested, however, the librarian to point out to me what was most worthy of particular notice. Accordingly, among other books and manuscripts, he shewed me several folio volumes containing letters and other writings of Calvin, which have never been published.

Although Zuingle, *Æcolampadius*, and Haller, had reformed the greatest part of Switzerland, some years before Calvin made his appearance at Geneva; yet the latter, as Voltaire justly observes, has given his name to the sectaries of the reformed religion, in the same manner as the new continent took its appellation from

6 ANNUAL REGISTER, 1779.

Americus Vespasius, although the original discovery was made by Columbus. Neither was Calvin, indeed, the first reformer even of Geneva; but, as he gave additional strength and solidity to the new establishment, and laid the foundation of that ecclesiastical form of government, which has ever since been invariably observed; he totally eclipsed the fame of his friend William Farel, who scattered the first seeds of reformation, which the other brought to maturity. In truth, so great was the ascendancy which this extraordinary man, although a stranger in Geneva, acquired over the citizens, that he possessed no inconsiderable influence even in civil matters; and bore a large share in settling the political constitution of the republic. But his care and attention was not wholly confined to ecclesiastical and political concerns; he promoted, to the utmost of his power, the cultivation of the liberal arts and sciences, and the study of elegant literature. To this end, as well as for the encouraging of theological erudition, he prevailed upon the government of Geneva to establish a public academy. In this new seminary, himself, together with his colleagues, eminent for their superior knowledge, read lectures, with such uncommon reputation and success, that the youth from all quarters flocked to receive the benefit of them: and it has sent forth, from its bosom, men of the greatest distinction for their learning and abilities.

There is such a striking splendor in the brighter parts of this distinguished and celebrated reformer's character, that renders one, at the

first glance, almost insensible of those dark spots in it, which have so justly sullied its glory. But when one reflects a moment on the asperity, the arrogance, the presumptuous opiniatry, of his temper and conduct, and, above all, on his cruel persecution of his former friend, the unhappy Servetus; one laments, with abhorrence, the mortifying instance this famous man exhibited, that the noblest qualities sometimes mix with the basest, in the composition of human nature. With regard, however, to his intolerant principles; it must be acknowledged, that the same uncharitable spirit prevailed also among some others of the most celebrated reformers; who seemed to think, by a strange inconsistency, and unaccountable blindness not only to the genius, but to the clearest precepts of the gospel, that persecution for conscience sake was unchristian in every ecclesiastical establishment, except their own. This absurd and dangerous opinion, gave great advantage to their adversaries of the papal hierarchy: for, it is obvious to the meanest understanding, that, if persecution is justifiable in any particular church, it must be so universally.

The republic of Geneva is, however, at present, the most tolerating of all the reformed states of Swisserland; being the only government in this country, which permits the Lutheran religion to be publicly exercised. In this respect the clergy, no less wisely, than suitably to the spirit, as well as the letter, of the Christian revelation, have renounced the principles of their great patriarch, Calvin; for, although they still hold

hold that able reformer in high veneration; yet they know how to distinguish his virtues from his defects, and to admire the one without being blindly partial to the other.

The town of Geneva and its territory, were formerly united to the German empire, under the successors of Charlemain: but as the power of the Emperors, feeble even in Germany, was still weaker in the frontier provinces; the Bishops of Geneva, like several other great vassals of the empire, gradually acquired very considerable authority over the city and its domains; which the Emperors had no other means of counterbalancing, than by increasing the liberties of the people. During these times of confusion, constant disputes subsisted between the Bishops and the Counts of the Genevois; for, the latter, although at their first institution merely officers of the emperor, and considered as vassals of the bishops; yet they claimed and asserted a right to the exclusive administration of justice. The citizens took advantage of these quarrels; and, by siding occasionally with each party, obtained an extension of their privileges from both.

But the House of Savoy having purchased the county of the Genevois, and succeeded to all the prerogatives of the counts, with additional power; the bishops and the people firmly united together, in order to oppose the encroachments of the former, which were no less prejudicial to the authority of the one, than to the liberties of the others. During this period, the respective pretensions of

the counts, the bishops, and the citizens, were so various, as to form a government equally singular and complicated. This harmony, however, between the bishops and citizens, was at length broken by the artful management of the Counts of Savoy, who had the address to procure the episcopal see for their brothers, and even for their illegitimate children. By these methods, their power in the city became so enlarged, that, towards the commencement of the sixteenth century, Charles III, Duke of Savoy, (although the form of the government was entirely republican) obtained an almost absolute authority over the citizens: and he exercised it in the most unjust and arbitrary manner. Hence arose perpetual struggles between the duke and the citizens; the latter continually opposing, either by open violence, or secret measures, his tyrannical usurpation: thus two parties were formed; the zealots for liberty were called *eidgenossen*, or confederates; while the partisans of the duke were branded with the appellation of *mammelucs*, or slaves.

The treaty of alliance which the town entered into with Berne and Fribourg, in 1526, may be considered as the true æra of its liberty and independence: for, not long after, the duke was deposed of his authority; the bishop driven from the city; a republican form of government firmly established; and the reformation introduced. From this time, Charles and his successors waged incessant war against the town: but his hostilities were rendered ineffectual,

§ ANNUAL REGISTER, 1779.

by the intrepid bravery of the citizens, and the assistance of the canton of Berne.

In 1584 Geneva entered into a treaty of perpetual alliance with Zurich and Berne, (Fribourg having renounced their alliance when the town embraced the reformation) by which treaty, it is allied with the Swiss cantons.

The last attempt of the House of Savoy against Geneva, was in 1602; when Charles Emanuel treacherously attacked the town during a profound peace. Two hundred of his soldiers scaled the walls in the night, when the inhabitants were reposed in unsuspecting security; but being timely discovered, they were repulsed by the desperate valour of a few citizens, who gloriously sacrificed their lives in defence of the liberties of their country. In memory of this event, an inscription is fixed upon the town-house; and some of the scaling-ladders, which the enemy made use of to enter the town, are preserved in the arsenal. This perfidy occasioned a war, which was terminated the year following by a solemn treaty; since which, uninterrupted peace has been maintained between the House of Savoy and Geneva: but it was not till 1754, that the King of Sardinia acknowledged, by a formal act, the independence of this republic.

No sooner was peace concluded with the House of Savoy, than the flames of internal discord, so apt to kindle in popular governments, and which had been smothered by their common danger from a foreign enemy, began to appear. Accordingly, during the greatest part of the last century, to the

present period, the history of Geneva contains little more than a narrative of contentions between the aristocratical and the popular party. These mutual struggles have occasionally been exerted with so much violence and animosity, as to have threatened, for a moment, a total revolution in the state; but happily, however, they have always been compromised without producing any fatal effects.

About the beginning of the present century, the power of the council of two hundred was become almost absolute. In order to restrain their authority, the popular party, in 1707, procured a law, by which it was enacted, that every five years a general council of all the citizens and burghers should be holden, to deliberate upon the affairs of the republic. Agreeably to this law, a general assembly was convened in 1712; and the very first act exerted by the people in this their collective capacity, was the total abolition of the above-mentioned ordinance. An event of so singular a nature can hardly be accounted for upon the general principle of popular fickleness and inconsistency: accordingly Rousseau, in his *Lettres écrites de la Montagne*, imputes it to the artifices of the magistrates; and to the equivocal terms marked upon the billets then in use. For, the question proposed to the people being, "Whether the opinion of the councils, for abolishing the periodical general assemblies, should pass into a law?" the words employed on the billets delivered for that purpose, were, *approbation, rejection*; so that whichever side was taken, it came to the

the same point. If the billet of *approbation* were chosen; the opinion of the councils which rejected the periodical assembly, was approved; if that of *rejection*; then the periodical assembly was rejected of course. Accordingly, several of the citizens afterwards complained that they had been deceived, as they never meant to reject the general assembly, but only the opinion of the councils.

In consequence of this extraordinary repeal, the power of the aristocracy continued increasing till within these few years; when the citizens, by a singular conjunction of favourable circumstances, joined to an uncommon spirit of union and perseverance, have procured several changes to be made in the constitution of Geneva; by which the authority of the magistrates has been limited, and the privileges of the people have been enlarged. Happy! if they know where to stop; lest, continuing to extend the bounds of their own prerogatives, they shake the foundations of civil government, by too much restraining the power of the magistrates.

The present constitution of Geneva, may be considered as a mean between that of the other aristocratical and popular cantons of Switzerland: more democratical than any of the former, inasmuch as the sovereign and legislative authority entirely resides in the general assembly of the citizens and burghers; and more aristocratical than the latter, because the powers vested in the great and little councils are very considerable.

The members of the senate, or little council of twenty-five, enjoy, in their corporate capacity, several

prerogatives almost as great as those which are possessed by that of the most aristocratical states. They nominate half the members of the great council; the principal magistrates are taken from their body; they convocate the great council and the general assembly of the citizens and burghers; they previously deliberate upon every question which is to be brought into the great council, and from thence into the general assembly: in other words, in them is lodged the power of proposing; consequently, as every act must originate from them, no law can pass without their approbation. In this senate is vested also the chief executive power, the administration of the finances; and, to a certain degree, jurisdiction in civil and criminal causes. They nominate, likewise, to most of the smaller posts of government; and enjoy the sole privilege of conferring burghership. They compose, moreover, in conjunction with thirty-five members of their own choosing, the secret council; which never assembles but by their convoking, and only upon extraordinary occasions.

These considerable prerogatives, however, are counterbalanced as well by the privileges of the great council, as by the franchises of the general assembly. The prerogatives of the former consist in choosing the members of the senate from their own body; in receiving appeals in all causes above a certain value; in pardoning criminals; in disposing of the most important charges of government, those excepted which are conferred by the general assembly; and in approving or rejecting whatever

is proposed by the senate to be laid before the people.

The sovereign council, or general assembly of the people, is composed of the citizens and burghers of the town: their number, in general, amounts to about 1,500, but it is seldom that more than 1,200 convene; the remainder being either settled in foreign countries, or are usually absent. I ought to have explained to you sooner, the distinction between *citizens* and *burghers*: the latter, are either the sons of citizens or burghers*, born out of Geneva, or have obtained the burgherthip by purchase; the former, are the sons of citizens or burghers, born within the town of Geneva. The burghers may be chosen into the council of two hundred, but the citizens can alone enter into the senate, and possess the charges appropriated to that body.

The general assembly meets twice a year; chooses the principal magistrates; assents to or rejects the laws and regulations proposed by the councils; imposes taxes; contracts alliances; declares war or peace; and nominates one half of the members of the great council. All questions that come before them are decided by the majority of voices; and each member delivers his vote without having the liberty of debating. The restriction is certainly reasonable; for, in a popular assembly, like this of Geneva, composed of citizens, the meanest of whom is well vested in the con-

stitution of the commonwealth, and where the people in general have a strong propensity to enter into political discussions; if every voter were permitted to support and enforce his opinion by argument, there would be no end of debate, and the whole time would be consumed in petulant declamation.

But the principal check to the power of the little council, arises from the method of electing the syndics, and from the right of *re-presentation*. With respect to the former, the four syndics, or chiefs of the republic, are chosen annually out of the little council, by the general assembly; and there must be an interval of three years before the same members can be again elected. The usual mode of election is as follows:—The little council nominate eight of their members for candidates, who must be approved by the great council; and out of these eight, the general assembly choose the four syndics. They have it in their power, however, not only to reject these eight proposed candidates, but also all the other members of the senate successively: and in that case, four members are taken from the great council, and proposed to the general assembly. If these are appointed syndics, they immediately become members of the senate; and an equal number of that body are at the same time degraded, and retire into the great council. No instance, however, has yet occurred of the general assembly having exerted this power

* The children of those who are employed in foreign countries, in the service of the state, although born out of Geneva, are entitled to all the privileges of citizens.

of expelling four members from the senate*.

With respect to the other restraint I mentioned upon the power of the little council, viz. the right of *representation*: every citizen or burgher, either singly or in a body, has the privilege of applying to the senate in order to procure some new regulation, or of remonstrating against any act of the magistracy. These representations have proved one of the principal means, perhaps, of securing the liberties of the people from the respective encroachments of the two councils; as they have frequently prevented the magistrates from stretching their authority to the same arbitrary extent that has been practised in some of the other commonwealths of Switzerland. The magistrates are obliged to give an explicit answer to these representations; for, if the first is not considered as satisfactory, a second remonstrance is presented. According to the nature and importance of the complaint, the representation is made by a greater or less number of citizens; and it has sometimes happened that each remonstrance has been accompanied by several hundred, in different bodies.

The salaries of the several magistrates are so inconsiderable, as not to offer any temptation on the side of pecuniary emolument: a sense of honour, a spirit of ambition, the desire of serving their country, together with that personal credit which is derived from exercising any office in the administration, are the principal mo-

tives which actuate the candidates to solicit a share in the magistracy. Accordingly, the public posts are generally filled with men of the first abilities, and of the most respectable characters. The revenues of government, at the highest calculation, scarcely amount to 30,000 pounds a year; a sum, however, which, by a well-regulated oeconomy, is more than sufficient to defray the current expences: so that this republic is enabled to provide for the security of its subjects, from an income, which some individuals, both in England and France, squander in vain pomp and vicious dissipation.

It is very remarkable that, in a republic so free as this of Geneva, and where the true principles of liberty are so well and so generally understood, there should be no precise code of penal laws: for, although the form of the process is settled with great precision, yet the trial of the criminal is private, and the punishment left to the arbitrary decision of the magistrate. Nor are the franchises of the people ascertained with that accuracy one might well have expected. Indeed, under Ademar Fabri, bishop of Geneva in the fourteenth century, a certain number of political regulations, both civil and criminal, together with several particular customs and liberties, were drawn up in form; and the bishop took an oath to observe them. These statutes, if they may be so called, were also confirmed by Amadeus VIH, duke of Savoy. In all cases of controversy, the

* Since the above was written, I have been informed, that the citizens and burghers expelled four members from the senate, at the election of magistrates for the year 1777.

tors buy the corn at the cheapest rate; retail that part of it which has been kept the longest; and vend it at an higher price than it is sold in the neighbouring territories; the bakers must consequently sell their bread dearer, and not of so good a quality, as that which may be purchased on the frontiers of Savoy. But the importation of bread is strictly prohibited: those families, therefore, who can afford it, lay in a provision of corn for their own use; while the poorer sort suffer, by being obliged to purchase, at an advanced price, their daily provision from the bakers. Perhaps, however, the government is not sufficiently rich to put their granary upon the same footing with those of Berne and Zurich, by sacrificing the profit arising from the chamber of corn.

The town is strongly fortified on the side of Savoy; and a garrison of about nine hundred men constantly maintained: but these fortifications, and this garrison, are only sufficient to guard them from any sudden attack; they could not defend them long against a regular siege. The great security of the republic consists in its alliance with the Swiss cantons, by means of Zurich and Berne: and, as it is the interest both of the king of France and the king of Sardinia to keep well with the Swiss, and to preserve the independence of Geneva; it derives its greatest security from what, in some cases, would be its greatest danger; namely, that its territory borders upon the dominions of such powerful neighbours.

This republic is the only commonwealth in Swisserland, that has no regular companies in any foreign

service; wisely prohibiting the enlisting of mercenaries in every part of its territory.

Reflexions upon the general State of the thirteen Swiss Cantons. From the same.

HAVING, in the course of my former letters, communicated to you such observations as I was able to make during my tour through Swisserland, concerning the laws, government, state of literature, &c. of each canton in particular; I will now request from you the same candid indulgence I have so repeatedly experienced, whilst I lay before you a few concluding remarks, in relation to the state of Swisserland in general.

There is no part of Europe which contains, within the same extent of region, so many independent commonwealths, and such a variety of different governments, as are collected together in this remarkable and delightful country; and yet, with such wisdom was the Helvetic union composed, and so little have the Swiss, of late years, been actuated with the spirit of conquest, that since the firm and complete establishment of their general confederacy, they have scarcely ever had occasion to employ their arms against a foreign enemy; and have had no hostile commotions among themselves that were not very soon happily terminated. Perhaps there is not a similar instance in antient or modern history, of a warlike people, divided into little independent republics, closely bordering upon each other, and of course having occasionally interfering interests, having

ing continued, during so long a period, in an almost uninterrupted state of tranquillity. And thus, while the several neighbouring kingdoms have suffered, by turns, all the horrors of internal war, this favoured nation hath enjoyed the felicity described by Lucretius, and looked down with security upon the various tempests that have shaken the world around them.

But the happiness of a long peace, has neither broken the spirit, nor enervated the arm of this people. The youth are diligently trained to all the martial exercises, such as running, wrestling, and shooting both with the cross-bow and the musket; a considerable number of well-disciplined Swiss troops are always employed in foreign services; and the whole people are enrolled, and regularly exercised in their respective militia. By these means they are capable, in case it should be necessary, of collecting a very respectable body of forces, which could not fail of proving formidable to any enemy who should invade their country, or attack their liberties. Thus, while most of the other states upon the continent are tending more and more towards a military government, Switzerland alone has no standing armies; and yet, from the nature of its situation, from its particular alliances, and from the policy of its internal government, is more secure from invasion than any other European power, and full as able to withstand the greatest force that can be brought against it.

But the felicity of Switzerland does not consist merely in being peculiarly exempted from the bur-

dens and miseries of war; there is no country in which happiness and content more universally prevail among the people. For, whether the government be aristocratical, democratical, or mixed; absolute or limited; a general spirit of liberty pervades and actuates the several constitutions, so that even the oligarchical states (which, of all others, are usually the most tyrannical) are here peculiarly mild; and the property of the subject is securely guarded against every kind of violation.

But there is one general defect in their criminal jurisprudence, which prevails throughout this country. For, although the Caroline code, as it is styled, or the code of the Emperor Charles the Vth, forms in each of the republics the principal basis of their penal laws, with particular modifications and additions in different districts; yet much too great a latitude is allowed to the respective judges, who are less governed in their determinations by this code, or any other written law, than by the common principles of justice. How far long experience may have justified the prudence of trusting them with this extraordinary privilege, I cannot say; but discretionary powers of this kind, are undoubtedly liable to the most alarming abuse, and can never, without the greatest hazard, be committed to the hands of the magistrate.

I cannot forbear reflecting, upon this occasion, on the superior wisdom, in the present instance, as well as in many others, of our own most invaluable constitution; and indeed, it is impossible for an Englishman

lishman to observe, in his travels, the governments of other countries, without becoming a warmer and more affectionate admirer of his own. In England, the life and liberty of the subject does not depend upon the arbitrary decision of his judge, but is secured by express laws, from which no magistrate can depart with impunity. This guarded precision, it is true, may occasionally, perhaps, be attended with some inconveniences; but they are overbalanced by advantages of so much greater weight as to be scarcely perceptible in the scales of justice. I do not mean, however, to throw any imputation upon the officers of criminal jurisdiction in Swisserland: as far as I could observe, they administer distributive justice with an impartial and equitable hand.

I remarked, with peculiar satisfaction, the excellent state of the prisons throughout this country, and the humane precautions which the several legislatures have taken with respect to felons: a circumstance which could not fail of striking me the more forcibly, as the contrary is but too visible in England. In Swisserland, the criminals are confined in wholesome and separate wards; and instead

of languishing long in prison, to the great injury of their health, or total waste of their little remnant of money; they are almost immediately brought to trial. In England, a criminal, or one suspected to be such, may be confined six months before his fate shall be determined: and if he happen to be proved innocent, and should be in low circumstances; the loss of his time, together with the expences of the gaol-fees, may probably occasion his utter ruin; while his morals are in no less danger, by being compelled to associate with a set of abandoned wretches, lost to all sense of shame, and encouraging each other in their common profligacy. How much is it to be lamented, that, while our code of criminal jurisprudence is in general formed upon principles, which distinguish us with honour among the nations of Europe; that our courts of justice are thrown open to the view of all the world; and that we enjoy the inestimable and almost peculiar privilege of being tried by our equals; how much (I cannot forbear repeating) is it to be lamented, that the same equitable and humane spirit should be found wanting in so important an article of our penal laws*.

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* For a more particular account of the prisons in Swisserland, the reader is referred to a treatise concerning "*The state of the prisons in England and Wales, and an account of some foreign prisons*, by John Howard, Esq; 1777." In this treatise (which merits the attention of every friend to humanity) the worthy author has produced many melancholy proofs of the sad state of the English prisons, and how very inferior they are to those abroad in every circumstance relating to the health and good government of the unhappy persons confined in them. And it cannot but afford him the most sensible satisfaction to find, that his benevolent and persevering labours have already been productive of some very advantageous regulations, particularly concerning the fees of prisoners who shall be acquitted, and the prevention of the gaol distemper. As Mr. H. still continues his laudable researches through all the most considerable prisons upon

One cannot but be astonished, as well as concerned, to find, that in a country where the true principles of civil government are so well understood and so generally adopted as in Switzerland, that the trial by torture is not yet abolished: for, in some particular cases, the suspected criminal is still put to the rack. The inefficacy, no less than the inhumanity, of endeavouring to extort the truth by the several horrid instruments which too ingenious cruelty has devised for that purpose, has been so often exposed by the ablest writers, that it would be equally impertinent and superfluous to trouble you with any reflections of mine upon the subject: and indeed, the whole strength of the several arguments that have been urged upon this occasion, is comprised in the

very just and pointed observation of the admirable Bruyere, that *la question est une invention merveilleuse & tout-à-fait sûre, pour perdre un innocent qui a la complexion faible, & sauver un coupable qui est né robuste* *. I cannot, however, but add, in justice to the Swiss, that zealous advocates have not been wanting among them for the total abolition of torture: but arguments of reason, and sentiments of humanity, have been found, even in this civilized and enlightened country, to avail little against inveterate custom and long-confirmed prejudices †.

Learning is less generally diffused among the catholic than the protestant states: but in both, a man of letters will find abundant opportunities of gratifying his researches and improving his know-

upon the continent, and intends submitting the result of them to the consideration of Parliament; it may justly be hoped, that he will be rewarded with the happiness of having become the means of effectually fixing the attention of the British Senate upon an object so highly deserving the care of every wise and humane legislature.

* Caractères, Vol. ii. p. 203,

† Criminal justice is here, as in the greatest part of Europe, administered agreeably to the rules of the civil law. According to the maxims of that code, the criminal's confession is absolutely requisite, in order to his suffering capital punishment; and consequently, all those nations who have not established a new code of criminal jurisprudence, retain the use of torture.

The present king of Prussia, it is well known, set the example in Germany, of abolishing this inhuman practice; but few, perhaps, are apprised, that the first hint of this reformation was suggested to him by reading the History of England. For, one of the principal arguments in support of this method of extorting confession, being that it affords the best means of discovering plots against government; the sagacious monarch remarked, that the British annals fully confuted the fallacy of that reasoning. Few kingdoms, he observed, had abounded more in conspiracies and rebellions than England; and yet, that the leaders and abettors of them had been more successfully traced and discovered, without the use of torture, than in any country where it was practised. "From thence," added this wise politician, speaking upon the subject, "I saw the absurdity of torture, and abolished it accordingly."

The above anecdote, which I had from very respectable authority, bears the most honourable testimony to the efficacy as well as the mildness of our penal laws, and to the superior excellency of the process observed in our courts of criminal justice.

ledge.

ledge. To the natural philosopher, Swisserland will afford an inexhaustible source of entertainment and information, as well from the great variety of physical curiosities so plentifully spread over the country, as from the considerable number of persons eminently skilled in that branch of science. Indeed in every town, and almost in every village, the curious traveller will meet with collections worthy of his attention.

With respect to agriculture ; there is, perhaps, no country in the world where the advantageous effects of unwearied and persevering industry are more remarkably conspicuous. In travelling over the mountainous parts of Swisserland, I was struck with admiration and astonishment; to observe rocks, that were formerly barren, now planted with vines, or abounding in rich pasture; and to mark the traces of the plough along the sides of precipices so steep, that it must be with great difficulty that a horse could even mount them. In a word, the inhabitants seem to have surmounted every obstruction which soil, situation, and climate, had thrown in their way, and to have spread fertility over various spots of the country which nature seemed to have consigned to everlasting barrenness. In fine, a general simplicity of manners; an open and unaffected frankness, together with an invincible spirit of freedom, may justly be mentioned in the number of those peculiar qualities which dignify the public character of this people, and distinguish them with honour among the nations of Europe.

A Sketch of an Historical Panegyric on the Marshal of Berwick, by the President Montesquieu. From Memoirs of the Duke of Berwick.

HE was born on the 21st of August, 1670; was son of James, Duke of York, since King of England, and of Miss Arabella Churchill. Such indeed was the fate of this house of Churchill, that it gave birth to two men, who were destined; at the same time, each of them to shake, and to support, the two greatest monarchies of Europe.

At seven years of age he was sent into France to complete his studies, and follow his exercises. The Duke of York having succeeded to the crown on the 6th day of February, 1685, sent him the following year into Hungary, and he was present at the siege of Buda.

He passed the winter in England, where the King created him Duke of Berwick. In the spring he returned into Hungary, where the Emperor gave him the rank of Colonel to command Taaff's regiment of Cuirassiers. He served the campaign of 1687, in which the Duke of Lorrain obtained the victory at Mohatz; and on his return to Vienna, the Emperor promoted him to the rank of Major-General.

Thus the Duke of Berwick was first trained to arms; under the great Duke of Lorrain; and his life, ever since, has been in a manner entirely devoted to this profession.

He returned into England; when the King gave him the government of Portsmouth, and of the county of Southampton. He had

The first of these was the fact that the
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Letter 21: Initial Lettering and
Lettering in Letters and Long Lines

[illegible]

The Case of Lester Kiefer
 Federal Bureau of Investigation
 Washington, D. C. 20535

Lord Falkland, on his return to England in the year 1649, with the general consent of the parliament in the House of Commons, did we then and thenceforth very much, and I returned from the continent that summer not without gratitude even then as a more or less period of the most bitter and blackest hour of his life. The lot of the nation of the living was mismanaged by the both houses. King William had indeed raised the hope of Louisville, and was welcomed into England; but this did not much improve the state of affairs. Lord Churchill's manner as a soldier is known with every thousand man.

It was necessary at the same time to check the rapidity of his progress, to re-establish the army, to dissipate factions, and to conciliate the minds of the Irish. All this was effected by the Duke of Berwick.

In 1691, the Duke of Tyrconnel having returned into Ireland, the Duke of Berwick went back into France, and attended Lewis XIV. as volunteer, to the siege of Mons. He served in the same capacity under Marshal Luxembourg, in the campaign of 1692, and was present at the battle of Steinkirk. The following year he was made Lieutenant-General in France, and acquired much honour at the battle of Neerwinden, where he was taken prisoner. The reports that were circulated upon this occasion, must certainly have originated from persons who had the highest idea of his steadiness and courage. He continued to serve in Flanders under Marshal Luxembourg, and afterwards under Marshal Villeroy.

In 1696, he was sent privately into England, to hold a conference with some English noblemen, who had resolved to restore the King. He was charged with a very strange kind of commission, which was to induce these noblemen to act against common sense. He did not succeed; and hastened his return upon receiving information that there was a plot carrying on against the person of King William, because he did not chuse to be involved in this conspiracy. I remember having heard him say, that a man had discovered him by a kind of family likeness, and particularly by the length of his fingers; that luckily this man hap-

pened to be a Jacobite, and said to him, *God bless you in all your undertakings.* This relieved him from his embarrassment.

The Duke of Berwick lost his first wife in the month of June, 1698. He had married her in 1695. She was daughter of the Earl of Clanricard. He had a son by her, who was born on the 21st of October, 1696.

In 1699 he made a tour into Italy, and at his return married Mademoiselle de Bulkeley, daughter of Madame de Bulkeley, Lady of the Bedchamber to the Queen of England, and of M. de Bulkeley, brother of Lord Bulkeley.

After the death of Charles II. King of Spain, King James sent the Duke of Berwick to Rome, to congratulate the Pope on his election, and to offer him his services to command the army that France pressed him to raise, for the purpose of maintaining a neutrality in Italy; and the Court of St. Germain offered to send some Irish troops, to be under his command. The Pope thought the affair rather too serious for him, and the Duke of Berwick returned.

In 1701 he lost the King his father, and in 1702 he served in Flanders under the Duke of Burgundy and Marshal Boufflers; in 1703, on his return from the campaign, he was naturalized a subject of France, with the consent of the Court of St. Germain.

In 1704, the King sent him into Spain at the head of eighteen battalions and nineteen squadrons; and upon his arrival the King of Spain appointed him Captain-General of his forces, and made him put his hat on in his presence.

The Court of Spain was disturbed by intrigues. The government was very ill conducted, because every one wished to guide the reins of it. Every thing degenerated into cabals, and it was one of the principal objects of his commission, to get at the bottom of them. All parties endeavoured to gain him over, but he would not side with either of them; and applying himself only to the success of public affairs, he considered the interest of individuals merely as they were; he paid no attention to Madame d'Orsini, to Orry, to the Abbé d'Etrées, to the inclinations of the Queen, or to the bias of the King: the welfare of the monarchy engrossed all his thoughts.

The Duke of Berwick received orders to endeavour to obtain the dismissal of Madame d'Orsini. The King wrote to him in the following terms: "Tell my grandson, that he owes me this mark of complaisance. Urge all the motives you can imagine to persuade him, but do not tell him that I shall abandon him, for he would never believe you." The King of Spain consented to the dismissal.

This year, 1704, the Duke of Berwick saved the kingdom of Spain; he hindered the Portuguese army from going to Madrid. His army was two-thirds weaker than that of the enemy; he was constantly receiving orders from court, one after another, to retire and to risk nothing. The Duke of Berwick, who saw that Spain was lost if he obeyed, would not discontinue to expose himself to risks, and disputed every inch of ground. The Portuguese army retired, and

the Duke of Berwick did the same. At the end of the campaign he received orders to return into France. This was the effect of court intrigue; and he felt what so many had experienced before, that to please at court is the greatest service a man can do; without which, all our works, to make use of the language of divines, are nothing more than dead works.

In 1705 the Duke of Berwick was sent to command in Languedoc; and the same year he laid siege to Nice, and took it.

In 1706 he was made Marshal of France, and sent into Spain to take the command of the army against Portugal. The King of Spain had raised the siege of Barcelona, and had been obliged to return by France, and to re-enter the kingdom of Spain through Navarre.

I have observed, that before he quitted Spain, the first time of his serving there, he had saved the kingdom; and upon this occasion he saved it a second time. I shall take but a cursory view of the circumstances which it is the business of history to record. I shall only say, that all was lost at the beginning of the campaign, and all recovered at the end of it. In Madame de Maintenon's Letters to the Princess Orsini, we may see what was the opinion of the two courts at that time. They wished, but they had no hopes remaining. The Marshal of Berwick wanted the Queen to join his army, but she was prevented by the advice of some timid persons. They endeavoured to persuade her to retire to Pampeluna; the Marshal of Berwick made it appear, that if this step were taken, every thing was lost.

lost, because the Castilians would then think themselves forsaken: the Queen therefore retired to Burgos with her counsellors, and the King joined the small army. The Portuguese went to Madrid; and the Marshal, by conduct merely, without risking a single action, obliged the enemy entirely to quit Castile, and wedged in their army between the kingdoms of Valencia and Arragon. He conducted them thither by one march after another, as a shepherd leads his flock. It may be said, that this campaign was more glorious to him than any of the other he made, because the advantages obtained by it, not having depended on an action, furnished the opportunity for a continual display of his talents. He took more than ten thousand prisoners, and by this campaign paved the way for the second, rendered still more illustrious by the battle of Almanza, the reduction of the kingdoms of Valencia and Arragon, and the capture of Lerida.

It was in this year, 1707, that the King of Spain bestowed upon the Marshal of Berwick the towns of Liria and Xerica, with the rank of Grandee of the first class; which procured him a still greater establishment for his son by his first wife, in his alliance with Dona Catherina of Portugal, heiress of the house of Veraguas. The Marshal gave him up all his possessions in Spain.

At the same time Lewis XIV. gave him the government of the Limosin, entirely of his own accord, without being asked for it by the Duke.

I must take this opportunity of

speaking of the Duke of Orleans, and I shall do it with the greater satisfaction, as what I shall say of him, can but redound to his honour as well as the Marshal's.

The Duke of Orleans came to command the army. His evil destiny made him think he should have time to pass by Madrid. The Marshal of Berwick dispatched messenger after messenger to acquaint him that he should soon be under a necessity of giving battle: the Duke of Orleans set out, and notwithstanding the utmost expedition, did not arrive in time. There were not wanting courtiers who endeavoured to insinuate to the Prince, that the Marshal of Berwick had been well pleased to give battle without him, in order that he might deprive the Prince of the glory of it. But the Duke of Orleans was satisfied that he had it in his power to do him justice, which he very well knew how to do; and only complained of his ill fortune.

The Duke of Orleans, who could not bear the idea of returning without having done any thing, proposed the siege of Lerida. The Marshal of Berwick, who was far from agreeing with the Duke in this point, explained his reasons for it in a strong manner; and even proposed to refer the matter to court. The siege of Lerida was resolved upon. From that moment the Marshal saw no farther obstacles: he knew, that though prudence be the first of all virtues before an enterprize is begun, it is only a secondary one after it is undertaken. Perhaps had he been the proposer of this siege, he would have been less apprehensive of the raising

people appeal to this code ; but it is not only compiled in a very inaccurate and confused manner, but the magistrates refuse to be governed by it, because it was published before the independence of the republic was confirmed. With respect to the several laws which have since been enacted in the general assembly ; some few of them indeed are printed, and in the hands of the public, but the rest remain in the archives of the senate : for, there being no particular secretary belonging to the general assembly ; all the laws which they pass are taken down by the secretary to the senate ; so that the latter are the sole depositaries of those edicts which ought to be laid open to the inspection of the whole community. The people have repeatedly demanded a precise code of municipal and penal laws, so express and determinate, that nothing may be left to the arbitrary decision of the magistrate ; but the senate has always found means of evading this very reasonable and just requisition.

Their code of civil law is the most perfect part of this constitution : all matters concerning commerce are well regulated by it ; and private property securely guarded. It is unnecessary to trouble you with a particular detail of the sumptuary laws ; they are much the same as those in most of the other states of Switzerland, where restrictions of that kind are enforced. But there is one law, relating to bankrupts, too singularly severe not to be mentioned. If a member of either council becomes a bankrupt, he is immediately degraded ; and from that moment is rendered incapable of holding any

post under government, until he shall have discharged all the just demands of his creditors : even his children are subjected to the same disgrace ; and no citizen can exercise any public employment whatsoever, while the debts of his father remain unpaid,

In this city, as in all the other principal towns in Switzerland, a public granary is established. Magazines of this kind are useful in all states, but are more particularly necessary in so populous a place as Geneva ; which, if the neighbouring powers were to prohibit the exportation of corn into the territory of the republic, might be exposed to all the horrors of a general famine. The benefit of this institution has been frequently experienced in times of scarcity : and all authors who have published observations upon the government of Geneva, have agreed in mentioning it with the praises it deserves. But they have overlooked one great defect in its regulation, and which is not imputable to the management of those public granaries which are established in Berne and Zurich. The *chamber of corn*, as it is here called, is a committee from the great council of two hundred, empowered to supply the granary with that commodity, at the expence of government. This corn is dried by means of machines well contrived for that purpose ; retailed out to the inn-keepers and bakers ; a considerable profit accrues to government : and there is always, in case of necessity, a sufficient quantity in reserve to support the inhabitants during a year and a half. Thus far, all is right : but then the burden of this institution falls upon the poor. For, as the directors

C H A R A C T E R S.

13

tors buy the corn at the cheapest rate; retail that part of it which has been kept the longest; and vend it at an higher price than it is sold in the neighbouring territories; the bakers must consequently sell their bread dearer, and not of so good a quality, as that which may be purchased on the frontiers of Savoy. But the importation of bread is strictly prohibited: those families, therefore, who can afford it, lay in a provision of corn for their own use; while the poorer sort suffer, by being obliged to purchase, at an advanced price, their daily provision from the bakers. Perhaps, however, the government is not sufficiently rich to put their granary upon the same footing with those of Berne and Zurich, by sacrificing the profit arising from the chamber of corn.

The town is strongly fortified on the side of Savoy; and a garrison of about nine hundred men constantly maintained: but these fortifications, and this garrison, are only sufficient to guard them from any sudden attack; they could not defend them long against a regular siege. The great security of the republic consists in its alliance with the Swiss cantons, by means of Zurich and Berne: and, as it is the interest both of the king of France and the king of Sardinia to keep well with the Swiss, and to preserve the independence of Geneva; it derives its greatest security from what, in some cases, would be its greatest danger; namely, that its territory borders upon the dominions of such powerful neighbours.

This republic is the only commonwealth in Switzerland, that has no regular companies in any foreign

service; wisely prohibiting the enlisting of mercenaries in every part of its territory.

Reflexions upon the general State of the thirteen Swiss Cantons. From the same.

HAVING, in the course of my former letters, communicated to you such observations as I was able to make during my tour through Switzerland, concerning the laws, government, state of literature, &c. of each canton in particular; I will now request from you the same candid indulgence I have so repeatedly experienced, whilst I lay before you a few concluding remarks, in relation to the state of Switzerland in general.

There is no part of Europe which contains, within the same extent of region, so many independent commonwealths, and such a variety of different governments, as are collected together in this remarkable and delightful country; and yet, with such wisdom was the Helvetic union composed, and so little have the Swiss, of late years, been actuated with the spirit of conquest, that since the firm and complete establishment of their general confederacy, they have scarcely ever had occasion to employ their arms against a foreign enemy; and have had no hostile commotions among themselves that were not very soon happily terminated. Perhaps there is not a similar instance in antient or modern history, of a warlike people, divided into little independent republics, closely bordering upon each other, and of course having occasionally interfering interests, having

ing continued, during so long a period, in an almost uninterrupted state of tranquillity. And thus, while the several neighbouring kingdoms have suffered, by turns, all the horrors of internal war, this favoured nation hath enjoyed the felicity described by Lucretius, and looked down with security upon the various tempests that have shaken the world around them.

But the happiness of a long peace, has neither broken the spirit, nor enervated the arm of this people. The youth are diligently trained to all the martial exercises, such as running, wrestling, and shooting both with the cross-bow and the musket; a considerable number of well-disciplined Swiss troops are always employed in foreign services; and the whole people are enrolled, and regularly exercised in their respective militia. By these means they are capable, in case it should be necessary, of collecting a very respectable body of forces, which could not fail of proving formidable to any enemy who should invade their country, or attack their liberties. Thus, while most of the other states upon the continent are tending more and more towards a military government, Switzerland alone has no standing armies; and yet, from the nature of its situation, from its particular alliances, and from the policy of its internal government, is more secure from invasion than any other European power, and full as able to withstand the greatest force that can be brought against it.

But the felicity of Switzerland does not consist merely in being peculiarly exempted from the bur-

dens and miseries of war; there is no country in which happiness and content more universally prevail among the people. For, whether the government be aristocratical, democratical, or mixed; absolute or limited; a general spirit of liberty pervades and actuates the several constitutions, so that even the oligarchical states (which, of all others, are usually the most tyrannical) are here peculiarly mild; and the property of the subject is securely guarded against every kind of violation.

But there is one general defect in their criminal jurisprudence, which prevails throughout this country. For, although the Caroline code, as it is styled, or the code of the Emperor Charles the Vth, forms in each of the republics the principal basis of their penal laws, with particular modifications and additions in different districts; yet much too great a latitude is allowed to the respective judges, who are less governed in their determinations by this code, or any other written law, than by the common principles of justice. How far long experience may have justified the prudence of trusting them with this extraordinary privilege, I cannot say; but discretionary powers of this kind, are undoubtedly liable to the most alarming abuse, and can never, without the greatest hazard, be committed to the hands of the magistrate.

I cannot forbear reflecting, upon this occasion, on the superior wisdom, in the present instance, as well as in many others, of our own most invaluable constitution; and indeed, it is impossible for an Englishman

lishman to observe, in his travels, the governments of other countries, without becoming a warmer and more affectionate admirer of his own. In England, the life and liberty of the subject does not depend upon the arbitrary decision of his judge, but is secured by express laws, from which no magistrate can depart with impunity. This guarded precision, it is true, may occasionally, perhaps, be attended with some inconveniences; but they are overbalanced by advantages of so much greater weight as to be scarcely perceptible in the scales of justice. I do not mean, however, to throw any imputation upon the officers of criminal jurisdiction in Switzerland: as far as I could observe, they administer distributive justice with an impartial and equitable hand.

I remarked, with peculiar satisfaction, the excellent state of the prisons throughout this country, and the humane precautions which the several legislatures have taken with respect to felons: a circumstance which could not fail of striking me the more forcibly, as the contrary is but too visible in England. In Switzerland, the criminals are confined in wholesome and separate wards; and instead

of languishing long in prison, to the great injury of their health, or total waste of their little remnant of money; they are almost immediately brought to trial. In England, a criminal, or one suspected to be such, may be confined six months before his fate shall be determined: and if he happen to be proved innocent, and should be in low circumstances; the loss of his time, together with the expences of the gaol-fees, may probably occasion his utter ruin; while his morals are in no less danger, by being compelled to associate with a set of abandoned wretches, lost to all sense of shame, and encouraging each other in their common profligacy. How much is it to be lamented, that, while our code of criminal jurisprudence is in general formed upon principles, which distinguish us with honour among the nations of Europe; that our courts of justice are thrown open to the view of all the world; and that we enjoy the inestimable and almost peculiar privilege of being tried by our equals; how much (I cannot forbear repeating) is it to be lamented, that the same equitable and humane spirit should be found wanting in so important an article of our penal laws*.

One

* For a more particular account of the prisons in Switzerland, the reader is referred to a treatise concerning "*The state of the prisons in England and Wales, and an account of some foreign prisons, by John Howard, Esq; 1777.*" In this treatise (which merits the attention of every friend to humanity) the worthy author has produced many melancholy proofs of the sad state of the English prisons, and how very inferior they are to those abroad in every circumstance relating to the health and good government of the unhappy persons confined in them. And it cannot but afford him the most sensible satisfaction to find, that his benevolent and persevering labours have already been productive of some very advantageous regulations, particularly concerning the fees of prisoners who shall be acquitted, and the prevention of the gaol distemper. As Mr. H. still continues his laudable researches through all the most considerable prisons upon

One cannot but be astonished, as well as concerned, to find, that in a country where the true principles of civil government are so well understood and so generally adopted as in Switzerland, that the trial by torture is not yet abolished: for, in some particular cases, the suspected criminal is still put to the rack. The inefficacy, no less than the inhumanity, of endeavouring to extort the truth by the several horrid instruments which too ingenious cruelty has devised for that purpose, has been so often exposed by the ablest writers, that it would be equally impertinent and superfluous to trouble you with any reflections of mine upon the subject: and indeed, the whole strength of the several arguments that have been urged upon this occasion, is comprised in the

very just and pointed observation of the admirable Bruyere, that *la question est une invention merveilleuse & tout-à-fait sûre, pour perdre un innocent qui a la complexion foible, & sauver un coupable qui est né robuste**. I cannot, however, but add, in justice to the Swifs, that zealous advocates have not been wanting among them for the total abolition of torture: but arguments of reason, and sentiments of humanity, have been found, even in this civilized and enlightened country, to avail little against inveterate custom and long-confirmed prejudices †.

Learning is less generally diffused among the catholic than the protestant states: but in both, a man of letters will find abundant opportunities of gratifying his researches and improving his know-

upon the continent, and intends submitting the result of them to the consideration of Parliament; it may justly be hoped, that he will be rewarded with the happiness of having become the means of effectually fixing the attention of the British Senate upon an object so highly deserving the care of every wise and humane legislature.

* Caractères, Vol. ii. p. 203,

† Criminal justice is here, as in the greatest part of Europe, administered agreeably to the rules of the civil law. According to the maxims of that code, the criminal's confession is absolutely requisite, in order to his suffering capital punishment; and consequently, all those nations who have not established a new code of criminal jurisprudence, retain the use of torture.

The present king of Prussia, it is well known, set the example in Germany, of abolishing this inhuman practice; but few, perhaps, are apprised, that the first hint of this reformation was suggested to him by reading the History of England. For, one of the principal arguments in support of this method of extorting confession, being that it affords the best means of discovering plots against government; the sagacious monarch remarked, that the British annals fully confuted the fallacy of that reasoning. Few kingdoms, he observed, had abounded more in conspiracies and rebellions than England; and yet, that the leaders and abettors of them had been more successfully traced and discovered, without the use of torture, than in any country where it was practised. "From thence," added this wise politician, speaking upon the subject, "I saw the absurdity of torture, and abolished it accordingly."

The above anecdote, which I had from very respectable authority, bears the most honourable testimony to the efficacy as well as the mildness of our penal laws, and to the superior excellency of the process observed in our courts of criminal justice.

ledge.

ledge. To the natural philosopher, Swisserland will afford an inexhaustible source of entertainment and information, as well from the great variety of physical curiosities so plentifully spread over the country, as from the considerable number of persons eminently skilled in that branch of science. Indeed in every town, and almost in every village, the curious traveller will meet with collections worthy of his attention.

With respect to agriculture; there is, perhaps, no country in the world where the advantageous effects of unwearied and persevering industry are more remarkably conspicuous. In travelling over the mountainous parts of Swisserland, I was struck with admiration and astonishment; to observe rocks; that were formerly barren, now planted with vines, or abounding in rich pasture; and to mark the traces of the plough along the sides of precipices so steep, that it must be with great difficulty that a horse could even mount them. In a word, the inhabitants seem to have surmounted every obstruction which soil, situation, and climate, had thrown in their way, and to have spread fertility over various spots of the country which nature seemed to have consigned to everlasting barrenness. In fine, a general simplicity of manners; an open and unaffected frankness, together with an invincible spirit of freedom, may justly be mentioned in the number of those peculiar qualities which dignify the public character of this people, and distinguish them with honour among the nations of Europe.

VOL. XXII.

A Sketch of an Historical Panegyric on the Marshal of Berwick, by the President Montesquieu. From Memoirs of the Duke of Berwick.

HE was born on the 21st of August, 1670; was son of James, Duke of York, since King of England, and of Miss Arabella Churchill. Such indeed was the fate of this house of Churchill; that it gave birth to two men, who were destined, at the same time; each of them to shake, and to support, the two greatest monarchies of Europe.

At seven years of age he was sent into France to complete his studies, and follow his exercises. The Duke of York having succeeded to the crown on the 6th day of February, 1685, sent him the following year into Hungary, and he was present at the siege of Buda.

He passed the winter in England, where the King created him Duke of Berwick. In the spring he returned into Hungary, where the Emperor gave him the rank of Colonel to command Taaff's regiment of Cuirassiers. He served the campaign of 1687, in which the Duke of Lorrain obtained the victory at Mohatz; and on his return to Vienna, the Emperor promoted him to the rank of Major-General.

Thus the Duke of Berwick was first trained to arms; under the great Duke of Lorrain; and his life, ever since, has been in a manner entirely devoted to this profession.

He returned into England; when the King gave him the government of Portsmouth, and of the county of Southampton. He

ed by enlarged principles: he saw that he was no longer at his own disposal: that he must no longer regulate his conduct by that rule which was most suitable to his wishes, but by the one which his situation required: he was aware that he should be censured, but he was above every unjust decision. He was never determined by popular favour, nor swayed by the opinions of those who think only superficially.

The ancients, who have treated of our duties, do not place any great difficulty in knowing them, but in chusing between two duties which is preferably to be pursued. He, like fate, followed the stronger duty. These are matters we should never treat of, unless we are obliged; because nothing in the world commands our respect so much as an unfortunate monarch. Let us examine the question; it consists in determining, whether the Prince, had he even been restored, would have had a right to recall him? The strongest argument that can be urged on this side the question, is, that our country never abandons us: but even this was not the case; for he was proscribed by his country, when he got himself naturalized. Grotius, Puffendorf, and all those writers who have influenced the opinions of Europe, decided the question, and declared to him that he was a Frenchman, and subject to the laws of France. The basis of the political system adopted by France, at that time, was peace. How contradictory would it have been, if a Peer of the realm, a Marshal, a Gover-

nor of a province, had disobeyed the prohibition to quit the kingdom, that is, had been in actual disobedience, in order to appear to the eyes of the English alone as having not disobeyed! In fact, the Marshal of Berwick was in a very peculiar situation even from his very dignities; and it was scarce possible to discriminate between his presence in Scotland, and a declaration of war with England. France did not think it consistent with her interest that this war should take place, because it would bring on a war which would extend itself throughout Europe. It was not therefore for him, to take upon himself the immense weight that such a step would draw upon him. It may indeed be said, that had he consulted his ambition merely, he could not have a stronger one, than the restoration of the Stuarts to the English throne. We know how much he loved his children. What a delightful prospect for him, could he have foreseen a third establishment in England!

Had he been even consulted upon the enterprize, in the circumstances of the times, he would not have advised it: he thought that all those kinds of undertakings were of the same nature as others, which ought to be regulated by prudence; and that in such an instance as this, the failure of an enterprize is attended with two kinds of ill success; the present misfortune, and a greater difficulty of renewing the undertaking with any prospect of success in future.

It was necessary at the same time to check the rapidity of his progress, to re-establish the army, to dissipate factions, and to conciliate the minds of the Irish. All this was effected by the Duke of Berwick.

In 1691, the Duke of Tyrconnel having returned into Ireland, the Duke of Berwick went back into France, and attended Lewis XIV. as volunteer, to the siege of Mons. He served in the same capacity under Marshal Luxembourg, in the campaign of 1692, and was present at the battle of Steinkirk. The following year he was made Lieutenant-General in France, and acquired much honour at the battle of Neerwinden, where he was taken prisoner. The reports that were circulated upon this occasion, must certainly have originated from persons who had the highest idea of his steadiness and courage. He continued to serve in Flanders under Marshal Luxembourg, and afterwards under Marshal Villeroy.

In 1696, he was sent privately into England, to hold a conference with some English noblemen, who had resolved to restore the King. He was charged with a very strange kind of commission, which was to induce these noblemen to act against common sense. He did not succeed; and hastened his return upon receiving information that there was a plot carrying on against the person of King William, because he did not chuse to be involved in this conspiracy. I remember having heard him say, that a man had discovered him by a kind of family likeness, and particularly by the length of his fingers; that luckily this man hap-

pened to be a Jacobite, and said to him, *God bless you in all your undertakings*. This relieved him from his embarrassment.

The Duke of Berwick lost his first wife in the month of June, 1698. He had married her in 1695. She was daughter of the Earl of Clanricard. He had a son by her, who was born on the 21st of October, 1696.

In 1699 he made a tour into Italy, and at his return married Mademoiselle de Bulkeley, daughter of Madame de Bulkeley, Lady of the Bedchamber to the Queen of England, and of M. de Bulkeley, brother of Lord Bulkeley.

After the death of Charles II. King of Spain, King James sent the Duke of Berwick to Rome, to congratulate the Pope on his election, and to offer him his services to command the army that France pressed him to raise, for the purpose of maintaining a neutrality in Italy; and the Court of St. Germain offered to send some Irish troops, to be under his command. The Pope thought the affair rather too serious for him, and the Duke of Berwick returned.

In 1701 he lost the King his father, and in 1702 he served in Flanders under the Duke of Burgundy and Marshal Boufflers; in 1703, on his return from the campaign, he was naturalized a subject of France, with the consent of the Court of St. Germain.

In 1704, the King sent him into Spain at the head of eighteen battalions and nineteen squadrons; and upon his arrival the King of Spain appointed him Captain-General of his forces, and made him put his hat on in his presence.

The Court of Spain was disturbed by intrigues. The government was very ill conducted, because every one wished to guide the reins of it. Every thing degenerated into cabals, and it was one of the principal objects of his commission, to get at the bottom of them. All parties endeavoured to gain him over, but he would not side with either of them; and applying himself only to the success of public affairs, he considered the interest of individuals merely as they were; he paid no attention to Madame d'Orsini, to Orry, to the Abbé d'Etrées, to the inclinations of the Queen, or to the bias of the King: the welfare of the monarchy engrossed all his thoughts.

The Duke of Berwick received orders to endeavour to obtain the dismissal of Madame d'Orsini. The King wrote to him in the following terms: "Tell my grandson, that he owes me this mark of complaisance. Urge all the motives you can imagine to persuade him, but do not tell him that I shall abandon him, for he would never believe you." The King of Spain consented to the dismissal.

This year, 1704, the Duke of Berwick saved the kingdom of Spain; he hindered the Portuguese army from going to Madrid. His army was two-thirds weaker than that of the enemy; he was constantly receiving orders from court, one after another, to retire and to risk nothing. The Duke of Berwick, who saw that Spain was lost if he obeyed, would not discontinue to expose himself to risks, and disputed every inch of ground. The Portuguese army retired, and

the Duke of Berwick did the same. At the end of the campaign he received orders to return into France. This was the effect of court intrigue; and he felt what so many had experienced before, that to please at court is the greatest service a man can do; without which, all our works, to make use of the language of divines, are nothing more than dead works.

In 1705 the Duke of Berwick was sent to command in Languedoc; and the same year he laid siege to Nice, and took it.

In 1706 he was made Marshal of France, and sent into Spain to take the command of the army against Portugal. The King of Spain had raised the siege of Barcelona, and had been obliged to return by France, and to re-enter the kingdom of Spain through Navarre.

I have observed, that before he quitted Spain, the first time of his serving there, he had saved the kingdom; and upon this occasion he saved it a second time. I shall take but a cursory view of the circumstances which it is the business of history to record. I shall only say, that all was lost at the beginning of the campaign, and all recovered at the end of it. In Madame de Maintenon's Letters to the Princess Orsini, we may see what was the opinion of the two courts at that time. They wished, but they had no hopes remaining. The Marshal of Berwick wanted the Queen to join his army, but she was prevented by the advice of some timid persons. They endeavoured to persuade her to retire to Pampeluna; the Marshal of Berwick made it appear, that if this step were taken, every thing was lost.

lost, because the Castilians would then think themselves forsaken: the Queen therefore retired to Burgos with her counsellors, and the King joined the small army. The Portuguese went to Madrid; and the Marshal, by conduct merely, without risking a single action, obliged the enemy entirely to quit Castile, and wedged in their army between the kingdoms of Valencia and Arragon. He conducted them thither by one march after another, as a shepherd leads his flock. It may be said, that this campaign was more glorious to him than any of the other he made, because the advantages obtained by it, not having depended on an action, furnished the opportunity for a continual display of his talents. He took more than ten thousand prisoners, and by this campaign paved the way for the second, rendered still more illustrious by the battle of Almanza, the reduction of the kingdoms of Valencia and Arragon, and the capture of Lerida.

It was in this year, 1707, that the King of Spain bestowed upon the Marshal of Berwick the towns of Liria and Xerica, with the rank of Grandee of the first class; which procured him a still greater establishment for his son by his first wife, in his alliance with Dona Catherina of Portugal, heiress of the house of Veraguas. The Marshal gave him up all his possessions in Spain.

At the same time Lewis XIV. gave him the government of the Limosin, entirely of his own accord, without being asked for it by the Duke.

I must take this opportunity of

speaking of the Duke of Orleans, and I shall do it with the greater satisfaction, as what I shall say of him, can but redound to his honour as well as the Marshal's.

The Duke of Orleans came to command the army. His evil destiny made him think he should have time to pass by Madrid. The Marshal of Berwick dispatched messenger after messenger to acquaint him that he should soon be under a necessity of giving battle: the Duke of Orleans set out, and notwithstanding the utmost expedition, did not arrive in time. There were not wanting courtiers who endeavoured to insinuate to the Prince, that the Marshal of Berwick had been well pleased to give battle without him, in order that he might deprive the Prince of the glory of it. But the Duke of Orleans was satisfied that he had it in his power to do him justice, which he very well knew how to do; and only complained of his ill fortune.

The Duke of Orleans, who could not bear the idea of returning without having done any thing, proposed the siege of Lerida. The Marshal of Berwick, who was far from agreeing with the Duke in this point, explained his reasons for it in a strong manner; and even proposed to refer the matter to court. The siege of Lerida was resolved upon. From that moment the Marshal saw no farther obstacles: he knew, that though prudence be the first of all virtues before an enterprize is begun, it is only a secondary one after it is undertaken. Perhaps had he been the proposer of this siege, he would have been less apprehensive of the raising

raising of it. The Duke of Orleans finished the campaign with glory; and this circumstance, which would infallibly have bred a quarrel between two men of an ordinary turn of mind, served only to unite these two more firmly together; and I remember to have heard the Marshal say, that he traced the origin of the favour shewed him by the Duke of Orleans from the campaign of 1707.

In 1708, the Marshal of Berwick, who was at first designed to be at the head of the army in Dauphiny, was sent upon the Rhine to command under the Elector of Bavaria. He had defeated a project of M. de Chamillart, whose chief incapacity consisted in not knowing his own. Prince Eugene having quitted Germany to go into Flanders, the Marshal of Berwick followed him. After the loss of the battle of Oudenarde, the enemy laid siege to Lisle; and then the Marshal of Berwick joined his army to that of M. de Vendosme. Without an infinite number of very extraordinary events, it was impossible for us to have lost Lisle. The Duke de Vendosme was incensed against the Marshal of Berwick for having made some difficulty of serving under him. From that period, the Duke de Vendosme rejected every proposal that came from the Marshal of Berwick; and his soul, in other respects so great, was no longer animated by any motive, but a warm resentment for the kind of affront which he imagined he received.

The Duke of Burgundy and the King, constantly divided between contradictory proposals, knew not how to act otherwise, than to ac-

quiesce in M. de Vendosme's opinion.

It must have happened that the King should send to the army, in order to conciliate the Generals, a minister who was incapable of distinguishing: it must have happened, that that malady of human nature, of not being able to bear what is good, when it is done by persons whom we do not like, should have taken possession, during this whole campaign, of the heart and understanding of M. de Vendosme: it must have happened, that a Lieutenant General should have credit enough at court, to commit two blunders, one upon the back of the other, and which will be remembered in all ages, his defeat and his capitulation: it must have happened, that the siege of Brussels should have been rejected at first, and afterwards undertaken; that it should be determined to cover, at the same time, both the Scheld and the Canal, that is, to cover nothing. In a word, the cause in agitation between these two great men still exists; the letters written by the King, by the Duke of Burgundy, by the Duke de Vendosme, by the Duke of Berwick, and by M. de Chamillart, are also still preserved. By these it will appear which of the two wanted coolness, and perhaps I might even venture to say, reason. God forbid that I should attempt to call in question the eminent qualities of the Duke de Vendosme! If the Marshal of Berwick were to return upon earth, he would be sorry for it. But I shall say, on this occasion, what Homer said of Glaucus. Jupiter deprived Glaucus of his wisdom,
and

and he exchanged a golden shield for a brazen one. This golden shield M. de Vendosme had always borne till this campaign, and he afterwards recovered it.

In 1709 the Marshal of Berwick was sent to cover the frontiers of Provence and Dauphiny; and though M. de Chamillart, who left every thing unprovided, had been removed, he found neither money, nor ammunition, nor provisions; but managed so well, that he supplied himself with all he wanted. I remember having heard him say, that in his distress he seized upon a supply of money that was going from Lyons to the royal treasury; and he used to say to M. D'Angervilliers, who was his Intendant at that time, that in legal strictness they both of them deserved to have been tried. M. Desmarais exclaimed: and he answered, that it was necessary to provide subsistence for an army, which was to save the kingdom.

The Marshal of Berwick formed such a plan of defence, that it was impossible to penetrate into France on any side, because the Duke of Savoy was obliged to proceed by the arch of a circle, while he kept along the chord. I remember when I was in Piedmont, that the officers who had served at that period, always gave this as a reason for their not having been able to penetrate into France; they made the panegyric of the Marshal of Berwick without my knowing any thing of the matter.

For this plan of defence the Marshal of Berwick wanted only a small number of forces, and was enabled to send the King twenty battalions; which, in those times,

was a considerable reinforcement.

It would be very absurd in me to judge of his military talents; in other words, to judge of what I cannot understand. Nevertheless, might I be allowed to venture, I should say, that as every great man, besides his general capacity, has also some particular talent in which he excels, and which constitutes his distinguishing quality; so the Marshal of Berwick's particular talent consisted in making a defensive war, in restoring affairs that were desperate, and in being thorough master of every resource that can suggest itself in misfortune. He must undoubtedly have been very sensible of his powers in this respect. I have often heard him say, that the thing he had most coveted, during the whole course of his life, was to have had a good fortress to defend.

In 1713 the peace was signed at Utrecht: on the first of September, 1715, the King died: The Duke of Orleans was Regent, and the Marshal of Berwick was sent to command in Guyenne. Let me be allowed to say, that this was a great happiness for me, since it was there I became acquainted with him.

The intrigues of Cardinal Alberoni gave rise to the war which the Marshal Duke of Berwick conducted on the frontiers of Spain. The Ministry being changed upon the death of the Duke of Orleans, he was removed from the command of Guyenne. He divided his time between the Court, Paris, and his country-house of Fitz-James. This will give me an oppor-

opportunity of speaking of him as a private man, and of giving his character, as concisely as possible.

He scarce obtained any favours which were not offered to him: when his own interest was concerned, it was always necessary to push him on.—His reserved and rather dry look, which was sometimes even inclined to severity, made him appear at times as if he were not in his proper element, in our country, if it were possible that great souls and personal merit could be confined to any one nation.

He knew not how to say those things that are usually called pretty things. He was more especially free from those numberless errors into which persons, who are overfond of themselves, are continually falling.—He was determined, for the most part, by his own judgment; and if, on the one hand, he had not too high an opinion, on the other, he had no distrust of himself; he considered and knew himself with as much penetration, as he viewed all other objects.—No man ever knew better how to avoid excesses, or, if I may venture to use the expression, to keep clear of the snares of virtue: for example, he was fond of the clergy; he readily enough accommodated himself to the modesty of their station; but he could not bear to be governed by them; especially if they transgressed in the least article the limits of their duty: he required more of them than they would have required of him.—It was impossible to behold him, and not be in love with virtue, so evident was tranquility and happiness in his soul, particularly

when he was compared with others who were agitated by various passions.—In the works of Plutarch, I have seen at a distance what great men were: in him I beheld in a nearer view what they are. I was only acquainted with him in private life: I never saw the hero, but the man from whom the hero issued.—He loved his friends: it was his custom to do services, and not to speak of them: thus the benefit was dispensed by an invisible hand.—He had a great fund of religion. No man ever followed more strictly those laws of the gospel, which are more troublesome to men of the world: in a word, no man ever practised religion so much, and talked of it so little.—He never spoke ill of any one; and at the same time never bestowed any praise upon those whom he did not think deserving of it.—He held in aversion those controversies, which, under pretence of the glory of God, are nothing more than personal disputes. He had learned from the misfortunes of the King his father, that we expose ourselves to commit great errors, when we have too much faith even in persons of the most respectable character.—When he was appointed Commandant in Guyenne, we were alarmed at the report of his gravity; but soon after his arrival he was beloved by every body, and there is no place where his great qualities have been more admired.

No man ever gave a brighter example of the contempt we ought to have for money.—There was a simplicity in all his expences, which ought to have made him very easy in his circumstances; for he indulged

indulged himself in no frivolous expence; nevertheless he was always in arrears, because, notwithstanding his natural œconomy, his expences were great. In the governments he was appointed to, every English or Irish family that was poor, and that had any sort of connection with any one of his house, had a kind of right to be introduced to him; and it is remarkable, that a man who knew how to maintain so much order in his army, and shewed so much judgment in all his projects, should lose all these advantageous talents, when his own private interest was concerned.

He was not one of those persons, who are sometimes complaining of the authors of any misfortune, and at other times flattering them; when he had a cause of complaint against any man, he went directly to him, and told him his sentiments freely, after which he said no more.

Never was the state in which we know France was in at the death of Marshal Turenne, more exactly represented than at the death of the Duke of Berwick. I remember the instant when the news was brought: the consternation was general. They had both of them left designs interrupted; both of them left an army in danger; both lost their lives in a manner that affects us more than an ordinary death: both of them were possessed of that modest merit, which is so well calculated to call forth our tenderest affections, and to excite our regret.

He left an affectionate wife, who passed the remainder of her life in sorrow for his loss; and he left children, whose virtue speaks

their father's panegyric better than I can.

The Marshal of Berwick has written his own Memoirs; and upon this occasion I may repeat what I have before said in the Spirit of Laws, of the narrative of Hanno. *The narrative of Hanno is a beautiful relic of antiquity: the same man who has executed, has written. There is no kind of ostentation in his accounts: great commanders pen their actions with simplicity, because they take more pride in what they have done, than in what they have said.*

The conduct of great men is more liable to a rigorous examination than that of other persons: every one takes a delight in arraigning them before his petty tribunal. Did not the Roman soldiers indulge themselves in the most bitter mockeries while they followed the car of victory? They imagined that they were triumphing over the triumphers themselves; but it is a matter of great praise for the Marshal of Berwick, that the two objections which have been made to him, have been occasioned only by his attachment to his duty.

The objection, of not having been concerned in the Scotch expedition of 1715, is founded only upon considering the Marshal as a man who had no country of his own, and upon the difficulty of persuading ourselves to look upon him as a subject of France. Having become a Frenchman, with the consent of his first sovereign, he obeyed the orders of Lewis XIV, and afterwards those of the Regent of France. It became necessary for him to silence the dictates of his heart, and to be guided

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ed by enlarged principles: he saw that he was no longer at his own disposal: that he must no longer regulate his conduct by that rule which was most suitable to his wishes, but by the one which his situation required: he was aware that he should be censured, but he was above every unjust decision. He was never determined by popular favour, nor swayed by the opinions of those who think only superficially.

The ancients, who have treated of our duties, do not place any great difficulty in knowing them, but in chusing between two duties which is preferably to be pursued. He, like fate, followed the stronger duty. These are matters we should never treat of, unless we are obliged; because nothing in the world commands our respect so much as an unfortunate monarch. Let us examine the question; it consists in determining, whether the Prince, had he even been restored, would have had a right to recall him? The strongest argument that can be urged on this side the question, is, that our country never abandons us: but even this was not the case; for he was proscribed by his country, when he got himself naturalized. Grotius, Puffendorf, and all those writers who have influenced the opinions of Europe, decided the question, and declared to him that he was a Frenchman, and subject to the laws of France. The basis of the political system adopted by France, at that time, was peace. How contradictory would it have been, if a Peer of the realm, a Marshal, a Gover-

nor of a province, had disobeyed the prohibition to quit the kingdom, that is, had been in actual disobedience, in order to appear to the eyes of the English alone as having not disobeyed! In fact, the Marshal of Berwick was in a very peculiar situation even from his very dignities; and it was scarce possible to discriminate between his presence in Scotland, and a declaration of war with England. France did not think it consistent with her interest that this war should take place, because it would bring on a war which would extend itself throughout Europe. It was not therefore for him, to take upon himself the immense weight that such a step would draw upon him. It may indeed be said, that had he consulted his ambition merely, he could not have a stronger one, than the restoration of the Stuarts to the English throne. We know how much he loved his children. What a delightful prospect for him, could he have foreseen a third establishment in England!

Had he been even consulted upon the enterprize, in the circumstances of the times, he would not have advised it: he thought that all those kinds of undertakings were of the same nature as others, which ought to be regulated by prudence; and that in such an instance as this, the failure of an enterprize is attended with two kinds of ill success; the present misfortune, and a greater difficulty of renewing the undertaking with any prospect of success in future.

Of the Metaphysical Poets. From Johnson's Life of Cowley.

COWLEY, like other poets who have written with narrow views, and instead of tracing intellectual pleasure to its natural sources in the mind of man, paid their court to temporary prejudices, has been at one time too much praised, and too much neglected at another.

Wit, like other things subject by their nature to the choice of man, has its changes and fashions, and at different times takes different forms. About the beginning of the seventeenth century appeared a race of writers that may be termed the metaphysical poets; of whom, in a criticism on the works of Cowley, the last of the race, it is not improper to give some account.

The metaphysical poets were men of learning, and to shew their learning was their whole endeavour; but, unluckily resolving to shew it in rhyme, instead of writing poetry, they only wrote verses, and very often such verses as stood the trial of the finger better than of the ear; for the modulation was so imperfect, that they were only found to be verses by counting the syllables.

If the father of criticism has rightly denominated poetry *τέχνη μιμητική*, an imitative art, these writers will, without great wrong, lose their right to the name of poets; for they cannot be said to have imitated any thing; they neither copied nature nor life; neither painted the forms of matter, nor represented the operations of intellect.

Those however who deny them to be poets, allow them to be wits. Dryden confesses of himself and his contemporaries, that they fall below Donne in wit, but maintains that they surpass him in poetry.

If Wit be well described by Pope, as being "that which has been often thought, but was never before so well expressed," they certainly never attained, nor ever sought it; for they endeavoured to be singular in their thoughts, and were careless of their diction. But Pope's account of wit is undoubtedly erroneous; he depresses it below its natural dignity, and reduces it from strength of thought to happiness of language.

If by a more noble and more adequate conception that be considered as wit, which is at once natural and new, that which, though not obvious, is, upon its first production, acknowledged to be just; if it be that, which he that never found it, wonders how he missed; to wit of this kind the metaphysical poets have seldom risen. Their thoughts are often new, but seldom natural; they are not obvious, but neither are they just; and the reader, far from wondering that he missed them, wonders more frequently by what perverseness of industry they were ever found.

But Wit, abstracted from its effects upon the hearer, may be more rigorously and philosophically considered as a kind of *concordia discors*; a combination of dissimilar images, or discovery of occult resemblances in things apparently unlike. Of wit, thus defined,

defined, they have more than enough. The most heterogeneous ideas are yoked by violence together; nature and art are ransacked for illustrations, comparisons, and allusions; their learning instructs, and their subtilty surprises; but the reader commonly thinks his improvement dearly bought, and though he sometimes admires is seldom pleased.

From this account of their compositions it will be readily inferred, that they were not successful in representing or moving the affections. As they were wholly employed on something unexpected and surprising, they had no regard to that uniformity of sentiment which enables us to conceive and to excite the pains and the pleasure of other minds: they never enquired what, on any occasion, they should have said or done; but wrote rather as beholders than partakers of human nature; as Beings looking upon good and evil, impassive and at leisure; as Epicurean deities making remarks on the actions of men, and the vicissitudes of life, without interest and without emotion. Their courtship was void of fondness, and their lamentation of sorrow. Their wish was only to say what they hoped had been never said before.

Nor was the sublime more within their reach than the pathetic; for they never attempted that comprehension and expanse of thought which at once fills the whole mind, and of which the first effect is sudden astonishment, and the second rational admiration. Sublimity is produced by

aggregation, and littleness by dissipation. Great thoughts are always general, and consist in positions not limited by exceptions, and in descriptions not descending to minuteness. It is with great propriety that Subtlety, which in its original import means exility of particles, is taken in its metaphorical meaning for nicety of distinction. Those writers who lay on the watch for novelty could have little hope of greatness; for great things cannot have escaped former observation. Their attempts were always analytick; they broke every image into fragments; and could no more represent, by their slender conceits and laboured particularities, the prospects of nature, or the scenes of life, than he, who dissects a sun-beam with a prism, can exhibit the wide effulgence of a summer noon.

What they wanted however of the sublime, they endeavoured to supply by hyperbole; their amplification had no limits; they left not only reason but fancy behind them; and produced combinations of confused magnificence, that not only could not be credited, but could not be imagined.

Yet great labour, directed by great abilities, is never wholly lost: if they frequently threw away their wit upon false conceits, they likewise sometimes struck out unexpected truth: if their conceits were far-fetched, they were often worth the carriage. To write on their plan, it was at least necessary to read and think. No man could be born a metaphysical poet, nor assume

assume the dignity of a writer, by descriptions copied from descriptions, by imitations borrowed from imitations, by traditional imagery, and hereditary similes, by readiness of rhyme, and volubility of syllables.

In perusing the works of this race of authors, the mind is exercised either by recollection or inquiry; either something already learned is to be retrieved, or something new is to be examined. If their greatness seldom elevates, their acuteness often surprises; if the imagination is not always gratified, at least the powers of reflection and comparison are employed; and in the mass of materials which ingenious absurdity has thrown together, genuine wit and useful knowledge may be sometimes found, buried perhaps in grossness of expression, but useful to those who know their value; and such as, when they are expanded to perspicuity, and polished to elegance, may give lustre to works which have more propriety, though less copiousness of sentiment.

This kind of writing, which was, I believe, borrowed from Marino and his followers, had been recommended by the example of Donne, a man of very extensive and various knowledge, and by Jonson, whose manner resembled that of Donne more in the ruggedness of his lines than in the cast of his sentiments.

When their reputation was high, they had undoubtedly more imitators, than time has left behind. Their immediate successors, of whom any remembrance can be said to remain, were Suckling,

Waller, Denham, Cowley, Cleveland, and Milton. Denham and Waller sought another way to fame, by improving the harmony of our numbers. Milton tried the metaphysick stile only in his lines upon Hobson the Carrier. Cowley adopted it, and excelled his predecessors, having as much sentiment, and more musick. Suckling neither improved versification, nor abounded in conceits. The fashionable stile remained chiefly with Cowley; Suckling could not reach it, and Milton disdained it.

Strictures on Paradise Lost, and Paradise Regain'd; from the Life of Milton. By the same.

BY the general consent of critics, the first praise of genius is due to the writer of an epick poem, as it requires an assemblage of all the powers which are singly sufficient for other compositions. Poetry is the art of uniting pleasure with truth, by calling imagination to the help of reason. Epick poetry undertakes to teach the most important truths by the most pleasing precepts, and therefore relates some great event in the most affecting manner. History must supply the writer with the rudiments of narration, which he must improve and exalt by a nobler art, animate by dramatick energy, and diversify by retrospection and anticipation; morality must teach him the exact bounds, and different shades, of vice and virtue: from policy, and the practice of life;

life, he has to learn the discriminations of character, and the tendency of the passions, either single or combined; and physiology must supply him with illustrations and image. To put these materials to poetical use, is required an imagination capable of painting nature, and realizing fiction. Nor is he yet a poet till he has attained the whole extension of his language, distinguished all the delicacies of phrase, and all the colours of words, and learned to adjust their different sounds to all the varieties of metrical modulation.

Bosfu is of opinion that the poet's first work is to find a *moral*, which his fable is afterwards to illustrate and establish. This seems to have been the process only of Milton; the moral of other poems is incidental and consequent; in Milton's only it is essential and intrinsic. His purpose was the most useful and the most arduous; to vindicate the ways of God to man; to shew the reasonableness of religion, and the necessity of obedience to the Divine Law.

To convey this moral there must be a *fable*, a narration artfully constructed, so as to excite curiosity, and surprise expectation. In this part of his work, Milton must be confessed to have equalled every other poet. He has involved in his account of the Fall of Man the events which preceded, and those that were to follow it: he has interwoven the whole system of theology with such propriety, that every part appears to be necessary; and scarcely any recital is wished shorter for the sake of quickening the progress of the main action.

The subject of an epic poem is naturally an event of great importance. That of Milton is not the destruction of a city, the conduct of a colony, or the foundation of an empire. His subject is the fate of worlds, the revolutions of heaven and of earth; rebellion against the Supreme King, raised by the highest order of created beings; the overthrow of their host, and the punishment of their crime; the creation of a new race of reasonable creatures; their original happiness and innocence, their forfeiture of immortality, and their restoration to hope and peace.

Great events can be hastened or retarded only by persons of elevated dignity. Before the greatness displayed in Milton's poem, all other greatness shrinks away. The weakest of his agents are the highest and noblest of human beings, the original parents of mankind; with whose actions the elements consented; on whose rectitude, or deviation of will, depended the state of terrestrial nature, and the condition of all the future inhabitants of the globe.

Of the other agents in the poem, the chief are such as it is irreverence to name on slight occasions. The rest were lower powers;

—of which the least could wield
Those elements, and arm him with the
force
Of all their regions.

—powers, which only the controul of Omnipotence restrains from laying creation waste, and filling the vast expanse of space with ruin and confusion. To display the motives and actions of beings thus superior, so far as human reason can

can examine them, or human imagination represent them, is the task which this mighty poet has undertaken and performed.

In the examination of epick poems, much speculation is commonly employed upon the *characters*. The characters in the *Paradise Lost*, which admit of examination, are those of angels and of man; of angels good and evil; of man in his innocent and sinful state.

Among the angels, the virtue of Raphael is mild and placid, of easy condescension and free communication; that of Michael is regal and lofty, and, as may seem, attentive to the dignity of his own nature. Abdiel and Gabriel appear occasionally, and act as every incident requires; the solitary fidelity of Abdiel is very amiably painted.

Of the evil angels the characters are more diversified. To Satan, as Addison observes, such sentiments are given as suit *the most exalted and most depraved being*. Milton has been censured, by Clark, for the impiety which sometimes breaks from Satan's mouth. For there are thoughts, as he justly remarks, which no observation of character can justify, because no good man would willingly permit them to pass, however transiently, through his own mind. To make Satan speak as a rebel, without any such expressions as might taint the reader's imagination, was indeed one of the great difficulties in Milton's undertaking, and I cannot but think that he has extricated himself with great happiness. There is in Satan's speeches little that

can give pain to a pious ear. The language of rebellion cannot be the same with that of obedience. The malignity of Satan foams in haughtiness and obstinacy; but his expressions are commonly general, and no otherwise offensive than as they are wicked.

The other chiefs of the celestial rebellion are very judiciously discriminated in the first and second books; and the ferocious character of Moloch appears, both in the battle and the council, with exact consistency.

To Adam and to Eve are given, during their innocence, such sentiments as innocence can generate and utter. Their love is pure benevolence and mutual veneration; their repasts are without luxury, and their diligence without toil. Their addresses to their Maker have little more than the voice of admiration and gratitude. Fruition left them nothing to ask, and Innocence left them nothing to fear.

But with guilt enter distrust and discord, mutual accusation, and stubborn self-defence; they regard each other with alienated minds, and dread their Creator as the avenger of their transgression. At last they seek shelter in his mercy, soften to repentance, and melt in supplication. Both before, and after the fall, the superiority of Adam is diligently sustained.

Of the *probable* and the *marvellous*, two parts of a vulgar epick poem, which immerse the critick in deep consideration, the *Paradise Lost* requires little to be said. It contains the history of a miracle, of Creation and Redemption; it

it displays the power and the mercy of the Supreme Being; the probable therefore is marvellous, and the marvellous is probable. The substance of the narrative is truth; and as truth allows no choice, it is, like necessity, superior to rule. To the accidental or adventitious parts, as to every thing human, some slight exceptions may be made. But the main fabrick is immovably supported.

It is justly remarked by Addison, that this poem has, by the nature of its subject, the advantage above all others, that it is universally and perpetually interesting. All mankind will, through all ages, bear the same relation to Adam and to Eve, and must partake of that good and evil which extend to themselves.

Of the *machinery*, so called from *Θεὸς ἀπὸ μηχανῆς*, by which is meant the occasional interposition of supernatural power, another fertile topick of critical remarks, here is no room to speak, because every thing is done under the immediate and visible direction of heaven; but the rule is so far observed, that no part of the action could have been accomplished by any other means.

Of *episodes*, I think there are only two, contained in Raphael's relation of the war in heaven, and Michael's prophetic account of the changes to happen in this world. Both are closely connected with the great action; one was necessary to Adam as a warning, the other as a consolation.

To the compleatness or *integrity* of the design nothing can be ob-

jected; it has distinctly and clearly what Aristotle requires, a beginning, a middle, and an end. There is perhaps no poem, of the same length, from which so little can be taken without apparent mutilation. Here are no funeral games, nor is there any long description of a shield. The short digressions at the beginning of the third, seventh, and ninth books, might doubtless be spared; but superfluities so beautiful, who would take away? or who does not wish that the author of the *Iliad* had gratified succeeding ages with a little knowledge of himself? Perhaps no passages are more frequently or more attentively read than those extrinseck paragraphs; and, since the end of poetry is pleasure, that cannot be unpoetical with which all are pleased.

The questions, whether the action of the poem be strictly *one*; whether the poem can be properly termed *heroick*, and who is the hero, are raised by such readers as draw their principles of judgement rather from books than from reason. Milton, though he intituled *Paradise Lost* only a *poem*; yet calls it himself *heroick song*. Dryden, petulantly and indecently, denies the heroism of Adam; because he was overcome; but there is no reason why the hero should not be unfortunate, except established practice; since success and virtue do not go necessarily together. Cato is the hero of Lucan; but Lucan's authority will not be suffered by Quintilian to decide. However, if success be necessary, Adam's deceiver was at last crushed; Adam was restored

to his Maker's favour, and therefore may securely resume his human rank.

After the scheme and fabrick of the poem, must be considered its component parts, the sentiments and the diction.

The *sentiments*, as expressive of manners, or appropriated to characters, are, for the greater part, unexceptionably just.

Splendid passages, containing lessons of morality, or precepts of prudence, occur seldom. Such is the original formation of this poem, that, as it admits no human manners till the fall, it can give little assistance to human conduct. Its end is to raise the thoughts above sublunary cares or pleasures. Yet the praise of that fortitude, with which Abdiel maintained his singularity of virtue against the scorn of multitudes, may be accommodated to all times; and Raphael's reproof of Adam's curiosity after the planetary motions, with the answer returned by Adam, may be confidently opposed to any rule of life which any poet has delivered.

The thoughts which are occasionally called forth in the progress, are such as could only be produced by an imagination in the highest degree fervid and active, to which materials were supplied by incessant study and unlimited curiosity. The heat of Milton's mind might be said to sublimate his learning, to throw off into his work the spirit of science, unmingled with its grosser parts.

He had considered creation in its whole extent, and his descriptions are therefore learned. He

had accustomed his imagination to unrestrained indulgence, and his conceptions therefore were extensive. The characteristick quality of his poem is sublimity. He sometimes descends to the elegant, but his element is the great. He can occasionally invest himself with grace; but his natural port is gigantick loftiness*. He can please when pleasure is required; but it is his peculiar power to astonish.

He seems to have been well acquainted with his own genius, and to know what it was that nature had bestowed upon him more bountifully than upon others; the power of displaying the vast, illuminating the splendid, enforcing the awful, darkening the gloomy, and aggravating the dreadful: he therefore chose a subject on which too much could not be said, on which he might tire his fancy without the censure of extravagance.

The appearances of nature, and the occurrences of life, did not satiate his appetite of greatness. To paint things as they are, requires a minute attention, and employs the memory rather than the fancy. Milton's delight was to sport in the wide regions of possibility; reality was a scene too narrow for his mind. He sent his faculties out upon discovery, into worlds where only imagination can travel, and delighted to form new modes of existence, and furnish sentiment and action to superior beings, to trace the counsels of hell, or accompany the choirs of heaven.

But he could not be always in other worlds; he must sometimes

* Algarotti terms it *gigantesca sublimità Miltoniana*.

revisit earth, and tell of things visible and known. When he cannot raise wonder by the sublimity of his mind, he gives delight by its fertility.

Whatever be his subject, he never fails to fill the imagination. But his images and descriptions of the scenes or operations of nature do not seem to be always copied from original form, nor to have the freshness, raciness, and energy of immediate observation. He saw nature, as Dryden expresses it, *through the spectacles of books*; and on most occasions calls learning to his assistance. The garden of Eden brings to his mind the vale of *Enna*, where Proserpine was gathering flowers. Satan makes his way through fighting elements, like *Argo* between the *Cyanean* rocks, or *Ulysses* between the two *Sicilian* whirlpools, when he shunned *Charybdis* on the *larboard*. The mythological allusions have been justly censured, as not being always used with notice of their vanity; but they contribute variety to the narration, and produce an alternate exercise of the memory and the fancy.

His similes are less numerous, and more various, than those of his predecessors. But he does not confine himself within the limits of rigorous comparison: his great excellence is amplitude, and he expands the adventitious image beyond the dimensions which the occasion required. Thus, comparing the shield of Satan to the orb of the Moon, he crowds the imagination with the discovery of the telescope, and all the wonders which the telescope discovers.

Of his moral sentiments it is hardly praise to affirm that they excel those of all other poets; for this superiority he was indebted to his acquaintance with the sacred writings. The ancient epic poets, wanting the light of Revelation, were very unskilful teachers of virtue: their principal characters may be great, but they are not amiable. The reader may rise from their works with a greater degree of active or passive fortitude, and sometimes of prudence; but he will be able to carry away few precepts of justice, and none of mercy.

From the Italian writers it appears, that the advantages of even Christian knowledge may be possessed in vain. Ariosto's pravity is generally known; and though the *deliverance of Jerusalem* may be considered as a sacred subject, the poet has been very sparing of moral instruction.

In Milton every line breathes sanctity of thought, and purity of manners, except when the train of the narration requires the introduction of the rebellious spirits; and even they are compelled to acknowledge their subjection to God, in such a manner as excites reverence and confirms piety.

Of human beings there are but two; but those two are the parents of mankind, venerable before their fall for dignity and innocence, and amiable after it for repentance and submission. In their first state their affection is tender without weakness, and their piety sublime without presumption. When they have sinned, they shew how discord begins in natural frailty, and how it ought to cease in mutual
for-

forbearance; how confidence of the divine favour is forfeited by sin, and how hope of pardon may be obtained by penitence and prayer. A state of innocence we can only conceive, if indeed, in our present misery, it be possible to conceive it; but the sentiments and worship proper to a fallen and offending being, we have all to learn, as we have all to practise.

The poet, whatever be done, is always great. Our progenitors, in their first state, conversed with angels; even when folly and sin had degraded them, they had not in their humiliation the part of mean suitors; and they rise again to reverential regard, when we find that their prayers were heard.

As human passions did not enter the world before the fall, there is in the *Paradise Lost* little opportunity for the pathetick; but what little there is has not been lost. That passion which is peculiar to rational nature, the anguish arising from the consciousness of transgression, and the horrors attending the sense of the Divine displeasure, are very justly described and forcibly impressed. But the passions are moved only on one occasion; sublimity is the general and prevailing quality in this poem; sublimity variously modified, sometimes descriptive, sometimes argumentative.

The defects and faults of *Paradise Lost*, for faults and defects every work of man must have, it is the business of impartial criticism to discover. As, in displaying the excellence of Milton, I have not made long quotations, because of selecting beauties there had been no end, I shall in the same general manner mention that

which seems to deserve censure for what Englishmen are so ready to delight in, in the possession of which, if they lose the reputation of Milton, diminish in some degree the honour of our country?

The generality of my scheme does not admit the frequent notice of verbal inaccuracies; which Bentley, perhaps better skilled in grammar than in poetry, has often found, though he sometimes made them, and which he imputed to the obtrusions of a reviser whom the author's blindness obliged him to employ. A supposition rash and groundless, if he thought it true; and vile and pernicious, if, as is said, he in private allowed it to be false.

The plan of *Paradise Lost* has this inconvenience, that it comprises neither human actions nor human manners. The man and woman who act and suffer, are in a state which no other man or woman can ever know. The reader finds no transaction in which he can be engaged; beholds no condition in which he can by any effort of imagination place himself; he has, therefore, little natural curiosity or sympathy.

We all, indeed, feel the effects of Adam's disobedience; we all sin like Adam, and like him must all bewail our offences; we have restless and insidious enemies in the fallen angels, and in the blessed spirits we have guardians and friends; in the redemption of mankind we hope to be included; and in the description of heaven and hell we are surely interested, as we are all to reside hereafter either in the regions of horror or of bliss.

But these truths are too important to be new; they have been taught to our infancy; they have mingled with our solitary thoughts and familiar conversation, and are habitually interwoven with the whole texture of life. Being therefore not new, they raise no unaccustomed emotion in the mind; what we knew before we cannot learn; what is not unexpected cannot surprise.

Of the ideas suggested by these awful scenes; from some we recede with reverence, except when stated hours require their association; and from others we shrink with horror, or admit them only as salutary inflictions, as counterpoises to our interests and passions. Such images rather obstruct the career of fancy than excite it.

Pleasure and terror are indeed the genuine sources of poetry; but poetical pleasure must be such as human imagination can at least conceive, and poetical terror such as human strength and fortitude may combat. The good and evil of eternity are too ponderous for the wings of wit; the mind sinks under them in passive helplessness, content with calm belief and humble adoration.

Known truths, however, may take a different appearance, and be conveyed to the mind by a new train of intermediate images. This Milton has undertaken, and performed with pregnancy and vigour of mind peculiar to himself. Whoever considers the few radical positions which the Scriptures afforded him, will wonder by what energetick operation he expanded them to such extent, and ramified them to so much variety, retrained as he was by religious

reverence from licentiousness of fiction.

Here is a full display of the united force of study and genius; of a great accumulation of materials, with judgment to digest, and fancy to combine them: Milton was able to select from nature, or from story, from ancient fable, or from modern science, whatever could illustrate or adorn his thoughts. An accumulation of knowledge impregnated his mind, fermented by study, and sublimed by imagination.

It has been therefore said, without an indecent hyperbole, by one of his encomiasts, that in reading *Paradise Lost* we read a book of universal knowledge.

But original deficiency cannot be supplied. The want of human interest is always felt. *Paradise Lost* is one of the books which the reader admires and lays down, and forgets to take up again. Its perusal is a duty rather than a pleasure. We read Milton for instruction, retire harassed and overburdened, and look elsewhere for recreation; we desert our master, and seek for companions.

Another inconvenience of Milton's design is, that it requires the description of what cannot be described, the agency of spirits. He saw that immateriality supplied no images, and that he could not show angels acting but by instruments of action; he therefore invested them with form and matter. This, being necessary, was therefore defensible; and he should have secured the consistency of his system, by keeping immateriality out of sight, and enticing his reader to drop it from his thoughts.

But he has unhappily perplexed his poetry with his philosophy. His infernal and celestial powers are sometimes pure spirit, and sometimes animated body. When Satan walks with his lance upon the *burning marle*, he has a body; when in his passage between hell and the new world, he is in danger of sinking in the vacuity, and is supported by a gulf of rising vapours, he has a body; when he animates the toad, he seems to be mere spirit, that can penetrate matter at pleasure; when he *starts up in his own shape*, he has at least a determined form; and when he is brought before Gabriel, he has a *spear and shield*, which he had the power of hiding in the toad, though the arms of the contending angels are evidently material.

The vulgar inhabitants of Pandæmonium being *incorporeal spirits*, are at large, though without number, in a limited space; yet in the battle, when they were overwhelmed by mountains, their armour hurt them, *crushed in upon their substance, now grown gross by sinning*. This likewise happened to the uncorrupted angels, who were overthrown the sooner for their arms, for *unarmed they might easily as spirits have evaded by contraction, or remove*. Even as spirits they are hardly spiritual; for *contraction* and *remove* are images of matter; but if they could have escaped without their armour, they might have escaped from it, and left only the empty cover to be battered. Uriel, when he rides on a sun-beam, is material: Satan is material when he is afraid of the prowess of Adam.

The confusion of spirit and matter which pervades the whole

narration of the war of heaven fills it with incongruity; and the book, in which it is related, is, I believe, the favourite of children, and gradually neglected as knowledge is increased.

After the operation of immaterial agents, which cannot be explained, may be considered that of allegorical persons, which have no real existence. To exalt causes into agents, to invest abstract ideas with form, and animate them with activity, has always been the right of poetry. But such airy beings are, for the most part, suffered only to do their natural office; and retire. Thus Fame tells a tale, and Victory hovers over a general, or perches on a standard; but Fame and Victory can do no more. To give them any real employment, or ascribe to them any material agency, is to make them allegorical no longer, but to shock the mind by ascribing effects to non-entity. In the *Prometheus* of Æschylus, we see *Violence* and *Strength*, and in the *Prometheus* of Euripides, we see *Death* brought upon the stage, all as active persons of the drama; but no precedents can justify absurdity.

Milton's allegory of Sin and Death is undoubtedly faulty. Sin is indeed the mother of Death; and may be allowed to be the portress of hell; but when they stop the journey of Satan, a journey described as real, and when Death offers him battle, the allegory is broken. That Sin and Death should have shewn the way to hell might have been allowed; but they cannot facilitate the passage by building a bridge, because the difficulty of Satan's passage is described as real and sensible, and

the bridge ought to be only figurative. The hell assigned to the rebellious spirits is described as not less local than the residence of man. It is placed in some distant part of space, separated from the regions of harmony and order by a chaotick waste and an unoccupied vacuity; but *Sin* and *Death* worked up a mole of aggregated soil, cemented with *asphaltus*; a work too bulky for ideal architects.

This unskilful allegory appears to me one of the greatest faults of the poem; and to this there was no temptation, but the author's opinion of its beauty.

To the conduct of the narrative some objections may be made. Satan is with great expectation brought before Gabriel in Paradise, and is suffered to go away unmolested. The creation of man is represented as the consequence of the vacuity left in heaven by the expulsion of the rebels, yet Satan mentions it as a report *rise in heaven* before his departure.

To find sentiments for the state of innocence, was very difficult; and something of anticipation perhaps is now and then discovered. Adam's discourse of dreams seems not to be the speculation of a new-created being. I know not whether his answer to the angel's reproof for curiosity does not want something of propriety: it is the speech of a man acquainted with many other men. Some philosophical notions, especially when the philosophy is false, might have been better omitted. The angel, in a comparison, speaks of *timorous deer*, before deer were yet timorous, and before Adam could understand the comparison.

Dryden remarks, that Milton has some flats among his elevations. This is only to say that all the parts are not equal. In every work one part must be for the sake of others; a palace must have passages; a poem must have transitions. It is no more to be required that wit should always be blazing, than that the sun should always stand at noon. In a great work there is a vicissitude of luminous and opaque parts, as there is in the world a succession of day and night. Milton, when he has expatiated in the sky, may be allowed sometimes to revisit earth; for what other author ever soared so high, or sustained his flight so long?

Milton, being well versed in the Italian poets, appears to have borrowed often from them; and, as every man learns something from his companions, his desire of imitating Ariosto's levity has disgraced his work with the *Paradise of Fools*; a fiction not in itself ill-imagined, but too ludicrous for its place.

His play on words, in which he delights too often; his equivocations, which Bentley endeavours to defend by the example of the ancients; his unnecessary and ungraceful use of terms of art, it is not necessary to mention, because they are easily marked and generally censured, and at last bear so little proportion to the whole, that they scarcely deserve the attention of a critic.

Such are the faults of that wonderful performance, *Paradise Lost*; which he who can put in balance with its beauties must be considered not as nice but as dull, as less

to be censured for want of candour than pitied for want of sensibility.

Of *Paradise Regained*, the general judgement seems now to be right, that it is in many parts elegant, and every-where instructive. It was not to be supposed that the writer of *Paradise Lost* could ever write without great effusions of fancy, and exalted precepts of wisdom. The basis of *Paradise Regained* is narrow; a dialogue without action can never please like an union of the narrative and dramattick powers. Had this poem been written not by Milton, but by some imitator, it would have claimed and received universal praise.

Of the Customs and Characters of Women in the East. From Richardson on the Languages, &c. of Eastern Nations.

TRAVELLERS, in general, do not appear to have conceived a just idea of the situation of Women in many Eastern countries. They are, for the most part, considered by them as of small consequence in the state: they are represented as mere slaves to the passions of the stronger sex: and, because the great men keep many beautiful Circassians locked up from public view, a proper distinction does not seem always to have been made between them and free-born women. But an attention to the languages and customs of Asia, will give us reason to believe, that such indiscriminate observations are partial, superficial, and inconclusive. I have already thrown out some ideas on this subject: and shall here offer a few

more facts, which appear to strengthen my opinion.

In Arabia, very early, we find the women in high consideration; and possessing privileges hardly inferior to those which they enjoy in the most enlightened countries of Europe. They had a right, by the laws, to the enjoyment of independent property, by inheritance, by gift, by marriage-settlement, or by any other mode of acquisition. The wife had a regular dower, which she was to enjoy in full right after the demise of her husband: and she had also a kind of pin-money, or paraphernalia, which she might dispose of in her life-time, or bequeath at her death, without his knowledge or consent.

To this consideration and weight, which property, by the laws and customs of the Arabians, gave to the female sex, it may even perhaps be no extravagant stretch of thought, to trace the success, if not the origin, of a religion, which, from the extensiveness of its operations, may be considered as one of the greatest events in the history of mankind. Poverty, as Cardinal de Retz justly observes, is the grave of many a great design. And so low in circumstances was Mohammed, in the early part of life, that had it not been for the weight and power which he derived from his marriage with a rich widow, his enthusiasm might, perhaps, have just expired and expired with himself. His father Abdallah was a younger son of Abdollmotaleb, chief of the Koreish tribe; but, dying young, he left Mohammed and his mother, for all their estate, only five camels and an Ethiopian slave.

When he arrived at man's estate, his fortune was, of consequence, so humble, that he was recommended by his uncle as factor to the widow Khadijah; who carried on an extensive trade with Syria and other countries. This lady was of a noble family, and of the same tribe. She had been twice married: she had been largely left by both husbands: and had improved the whole by commerce. Her young factor was esteemed the handsomest man of his age: his genius was quick: and his address insinuating. She made him her third husband; and, with her hand, she gave him the disposal of her fortune. Being a man of birth, this raised him at once, from a menial station, to a level with the first nobles of Arabia; and gave him consequence, independence, and leisure, sufficient to prepare the plans for his future greatness. It was fifteen years after this marriage before he publicly assumed the prophetic character: and he then met with such vigorous opposition, particularly from the leading men of his own tribe, that, nearly crushed as he often was, he must probably have been quite overwhelmed; had not his riches, by increasing his power, his importance, and his profelytes, furnished him with resources to overcome difficulties; which might otherwise have baffled all the vigour of his genius.

The Prophet, at his death, left many widows: four of whom, whilst they lived, had considerable weight in the councils of the Arabs. But the influence of Ayesha, whom they dignified with the title of *Mother of the Faithful*, was almost unbounded. Ali, as son-in-law and

cousin-german to Mohammed, was generally considered as his successor: but he had incurred the displeasure of Ayesha, whom he had once, with many others, accused of incontinence: and she never forgave him. Her father Abubeker owed his elevation to the Khalifat chiefly to her address. Upon his decease, she supported Omar. She was chief conspirator against Othman, the successor of Omar. And when Ali, at length, succeeded to the Khalifat, she headed a formidable rebellion against him. She took Basrah; and gave him battle near that place. This famous action is called *Yumu' Pjamal*, the *day of the camel*, from a large white one, upon which she was mounted. She rode through the ranks; and, to animate her troops, she drove into the thickest of the battle. Seventy hands, it is said, were struck off, in attempting to seize her bridle. And, when the legs of her camel were at length cut off, the carriage in which she sat resembled a porcupine, from the number of javelins and arrows with which it was transfixd. The superior generalship of Ali prevailed; her army, though more numerous, was routed; and she fell into the hands of the Khalif. When brought before him, he said, "What dost thou think of the work of God to thee?" She answered, "Thou hast conquered, O Ali! be merciful." The generous Ali did show her mercy. He sent her to Medina, attended by seventy women in men's apparel; where she was ordered to confine herself to her house, and to meddle no more in state affairs. On the death of Ali, however, she recovered her influence; and, many

many years afterwards, when Moawiyah wished to make the Khalifat hereditary in his family, he thought it necessary to secure her interest, by a present of bracelets valued at 150,000 dinars, near 70,000*l*.

The Arabian women of rank seem indeed to have taken a very active concern both in civil and military affairs. At the battle of Ohod, where Mohammed was defeated by the Pagan Meccans, the reserve, we find, was led on by Henda, the wife of Abu Sofian, a man of the first rank. She was accompanied by fifteen other women of distinction; who, with music and exhortations, animated the troops. By their spirit and reproaches they were repeatedly rallied, when retiring before Mohammed: and by them, in a great measure, was the fortune of the day decided.

One of the most considerable of the prophet's opposers, was a lady called Forka; who seems to have answered exactly the description of a feudal peeress in the middle ages of Europe. She was possessed of territory, of a castle, and of great riches and consideration. Her troops had checked the inroads of the Prophet's marauding parties; and Zeid, one of his chief generals, was sent to reduce her to obedience. The defence of her castle was obstinate: but it was at length taken by storm: and the lady, with part of her garrison, were killed. Amongst other captives was Forka's young daughter and heiress; who, with all her wealth, became the prize of the conqueror.

Many other examples might be given; but it may be sufficient, for the present subject, to observe in general, that the dignified be-

haviour, which distinguished the Arabian women, long before and after Mohammed, points clearly to a consciousness of their own importance: to which an habitual slavery and subjection could never possibly have given birth.

Numberless instances of the consequence of women might be brought also from Persia, Tartary, and other Eastern countries. But I must again beg the reader to remember, that the limits of these sketches will not permit me to enter into details; or to present to his attention any thing but mere outlines. It is certain, among other privileges, that they possessed the right of succession to the throne; and often acted as regents during the minority of their sons. Touran docht and Azarini docht, the daughters of Khosrow Parviz, were successively the reigning queens of Persia, a few years before the Mohammedan conquest.—About the beginning of the tenth century, queen Seidet was regent, during the non-age of her son, and governed with much wisdom. When he took the reins of government, he appointed the famous physician Avicenna to be his vizir. But public affairs being managed with much imprudence, the queen, rather, finding herself treated with indignity, retired from court, and, raising an army, defeated her son, whom, nevertheless, she restored to the throne; and, assisted, from that time, with her counsel, the kingdom flourished whilst she lived; but on her death, the powerful Sultan Mahmood of Ghazna, who had ever treated her with great respect, attacked her dissipated son, and annexed Persia to his empire.

According

According to Abulgazi Khan, by the ancient laws of the Moguls, a prince could not reign till he was thirty years of age: on which occasions, the queen mother acted always as regent. He gives an instance, in this place, of a princess, named Alanca, (from whom Jengiz Khan derived descent) who governed her people, for many years, during the minority of her son. Turkhan Khatun, a Tartar lady, mother of Mohammed, Sultan of Kharezmé, was a princess of uncommon abilities, and had such an ascendancy over her son, that she, in a great measure, governed the kingdom; which, before the invasion of Jengiz Khan, was considered as the most powerful in the East: and the court the most magnificent and polite. Yet ladies of the first distinction thought it not inconsistent with the delicacy of their sex to take the field against the Moguls. They made also many sallies during the siege of the capital; which held out, near twelve months, against a prodigious army commanded by three of Jengiz Khan's sons. And, when it was taken at last by assault, the inhabitants, male and female, retired, fighting, from house to house, and from street to street; till, according to the lowest computation, above a hundred thousand were killed. The spirit, indeed, of the Kharezmian women, has induced some writers to consider them as the descendants of the ancient Amazons.

The Vizir Nezam gives many instances of the political influence of the Women in Eastern courts; and is at infinite pains to advise his son to pay to them the highest attention. He divides the court

into four classes, at the head of which he places the Women: and observes, that much of his success will depend upon the manner in which he conducts himself towards them. The first class that claims your notice, says he, are the principal Women: the next, the King's Sons: after them, the great Omras: and, last of all, the inferior Ministers. — Altun Tash, continues the Vizir, was the first Omra of the Divan, in the reign of Sultan Mahmoud of Ghezna. When the government of Kharezmé being vacant, he solicited the appointment. As he was esteemed the chief pillar of the throne, the court was surprised, that he should have accepted it. And a friend begging of him to know, what could induce him to resign the power he had over so vast an empire, to take the charge of a corner: Altun Tash replied, “ By the
“ God who created heaven and
“ earth, the secret which I shall
“ now disclose to you I have not
“ revealed to any living soul. It
“ was the enmity of Jemila Kan-
“ dahari, and that only, which
“ made me give up the power I
“ had over this great empire.
“ For, many years have the affairs
“ thereof been under my manage-
“ ment: and, in that time, what-
“ ever I tied she unloosed; and
“ whatever I unloosed she tied.
“ What she resolved upon I was
“ incapable of opposing; and
“ whatever she opposed it was in
“ vain for me to attempt. Vexed
“ with being continually foiled,
“ and unable to apply a remedy,
“ the world appeared dark in my
“ eyes; and I voluntarily threw
“ myself into this retirement,
“ where I trust in God I shall be
“ safe

" safe from the effects of her sentiment." We must not suppose, that this female influence was thus powerful in the court of a weak or a dissipated prince: for Mahmoud was one of the greatest monarchs that ever reigned: almost the whole of his great empire he had conquered himself; and it was governed intirely under his own inspection. Jemila Kandahari appears to have been the first lady of the bed-chamber to Mahmoud's Sultana; and her resentment against Akua Tash, was owing to his opposition to the Vizir Ahmen Hassan, whom she patronized. Gallantry, at the same time, does not appear to have had any concern in her operations: for Nezam observes, that, though her favourite Ahmed corresponded with her often, they did not see one another perhaps once in twelve months.

Marriage settlements and portions given with daughters, or sisters, appear to be of great antiquity in Arabia: for, long before Mohammed, they had refined so much upon them, that it became common, where two men were obliged to give great fortunes with their female relations, to evade payment, by making a double marriage; one espousing the daughter or sister of the other; and giving his daughter or sister in return. This practice, which they called *Shigar*, probably with the view of encouraging alliances among different tribes, or preventing too much wealth from accumulating in particular families, Mohammed declared to be illegal in the Alcoran.—The separate property, or paraphernalia, which the wife enjoyed, seems to have been the produce of such

presents as the bride received from her friends, or from her father's husband, before marriage. Those of the bridegroom, which were called *Nell*, had no fixed measure, being proportioned to his affection to his fortune, and often to his ostentation; for, it was customary to send these presents, a day or two before the nuptials, with great pomp, from his house to the dwelling of the bride. And although the whole might have been carried, perhaps with ease, by one or two camels, horses, or servants, they would frequently make a procession of ten, twenty, thirty, or more: every one bearing some thing, set off with ornaments, in a gay showy manner.

Their marriage ceremonies, in the East, seem indeed so have been, in all times: attended with much festivity and public parade. All the friends of both families assembled: and, where the fortune or the vanity of the bridegroom, or father of the bride, were considerable, they were in general very expensive. The nuptials of persons of high rank, were astonishingly splendid. The marriage of the Khalif Almamoun with the daughter of Hassan Sahal, governor of Babylonian Irak, was attended with almost incredible expence. Slaves of both sexes, with other rich presents, were sent by the governor to every grandee. He defrayed the expence of the whole court and of the Khalif's guards, during that prince's residence at Fommalatib, where Hassan Sahal generally lived. The roads from thence to Bagdad, for near a hundred miles, were covered with mats of gold and silver stuff: and the bride's head-dress was adorned with

with a thousand pearls; each, (if there is no mistake or exaggeration) of the size of a pigeon's egg or of a large nut: which the Khalif immediately settled on her, as part of her dower.

Even upon ordinary occasions it was usual to throw amongst the populace, as the procession moved along, money, sweetmeats, flowers, and other articles; which the people caught in cloths, made for such occasions, stretched in a particular manner upon frames. With regard to the money, however, there appears often to have been a mixture of œconomy, or rather of deception; which probably arose from the necessity of complying with a custom, that might be ill suited to the fortunes of some, and to the avarice of others: for we find, that it was not uncommon to collect bad money, called *kelb*, at a low price, to throw away at nuptial processions.

The bride, on the day of marriage, was conducted with great ceremony by her friends to her husband's house; and immediately on her arrival, she made him a variety of presents; especially of household furniture, with a spear, and a tent. There seems to be a curious similitude, in some of those ceremonies, to customs which prevailed amongst the old Germans, before they left their forests; as well as among the Gothic nations, after they were established in their conquests. Tacitus observes, that the German bridegrooms and brides made each other reciprocal presents; and particularly of arms and cattle. The gifts made to the Eastern bride appear likewise to have been upon the same principles with the *Murgengabe*, or

Morning gift, which it was common for the European husband, in the early and middle ages, to present to his wife the morning after marriage. And, whilst the dower, in both, seems to have reverted, upon the death of the widow, to the kindred of the husband, the presents were left entirely at her own disposal.

A man, without the interposition of the law, might divorce his wife, provided he paid to her whatever dower had been settled by the marriage contract: unless he could prove, to the satisfaction of her assembled friends, that her conduct had given sufficient cause for the separation: in which case, her fortune and settlements were forfeited. The wife had also the same power of divorce, if she disliked her husband: but then she relinquished her settlements, and returned all the presents she had received from him before or after marriage. A man might re-marry his divorced wife, even unto the third time; beyond which it was unlawful. The form of repudiation was very concise: the husband saying only, "Get thee gone, I care not for thee." Yet simple as it was, they considered it as so binding, that if a couple lived afterwards together, without the ceremony of a re-marriage, it was reckoned infamous, and viewed in the same light as adultery.

Temporary marriages are common in many parts of the East. The Arabians call them *Almutab*. The Alcoran speaks rather equivocally with regard to them; which has opened a field for much difference of opinion among the Mohammedan lawyers. About the beginning of the ninth century they

they were interdicted by the Khalif Almamoun: but they were never entirely discontinued; and are now very common. They are contracted by a written indenture, witnessed by the Cadhi; and a certain sum is settled upon the woman, to be paid to her on the expiration of the term; when the engagement may either be renewed or finally dissolved. The offspring of such connexions cannot inherit.

A singular matrimonial custom, we may here remark, somewhat resembling the above, prevailed of old in many parts of Europe. Men of rank, who had lost their wives, but had children, to avoid burthening their estates, might marry low-born women; who, bringing no fortune, were intitled to no dower. These contracts (according to Baron von Lowhen) are still prevalent in Germany; where they are stiled *Left-handed marriages*: it being a part of the ceremony for the bridegroom to give his left hand to the bride. The children of such marriages are not capable of inheriting; and bear neither the name nor arms of the father.

We find in Scripture, that when a man died, leaving no issue by his wife, it was sometimes incumbent upon his next unmarried brother to espouse the widow. A custom similar to this, is not only found among the Arabians, but another still more strange. For where a father left one or more widows, the sons often married them, provided they were not their own mothers. This usage was suppressed by Mohammed: and it appears, even before his time, to have been marked with a degree of detestation: the word

Makt, which denotes this species of marriage, signifying also *hated* and *enmity*. Marrying a brother's widow, if childless, is still customary in some parts of Tartary; particularly in Circassia. And Abulgazi Khan mentions several princes who had married their step-mothers. He seems indeed to consider it as a thing of course; and particularly tells us, that Oghis Khan married one of the widows of his father Jengiz Khan. But what has most surprized me, is to find so odd a custom prevailing even in Scotland, so late as the eleventh century: it being mentioned by Lord Hailes in his *Annals*; who supposes, that it might have originated from avarice, in order to relieve the heir from the payment of a jointure.

An institution, we are informed, was introduced or revived among the Moguls and Tartars by Jengiz Khan, which appears to have been founded on the principles of sound political wisdom: two families, though all their children were dead, being permitted to form a matrimonial alliance, by marrying the deceased son of one to the deceased daughter of the other. These nuptials had often most salutary consequences; hostile tribes having been united by this imaginary tie, when all other means of pacification had failed. And they seem even to have viewed it with more superstitious veneration than if the parties had been alive: considering any breach of treaty, after this ideal contract, as drawing upon themselves the vengeance of the departed spirits. The ancient Persians, from a notion that married people were peculiarly happy in a future state, used often to

to hire persons, to be espoused to such of their relations as had died in celibacy.

It may not be quite foreign to the present subject, to make a few remarks upon some peculiarities in the dress of Eastern women; as even from thence some fresh lights may be thrown upon the female character. In all countries where dress has arrived at any degree of refinement, whatever is considered as a beauty will generally be imitated by art, where nature has denied her bounty. To this general propensity we may trace the origin of face-painting, patches, the bolstering of the petticoats, false hair, and the feathered ornaments of the head: all which we discover very early in the East. From the description of Jezebel, and from various other passages in the Old Testament, we find, that face-painting was then fashionable among women of rank: and from these words of Jeremiah, (ch. iv. 30.) "Though thou rendest thy face with painting, in vain shalt thou make thyself fair;" we plainly discover, that the Jewish women had then carried it to the vicious excess, of even rending and disfiguring their faces, by repeated and intemperate use.

The words in Arabic and Persian, which express painting in all its stages, are very numerous. They paint their cheeks and also their nails with red; the rest of the face, the neck, and the arms, with white; and their eyes, in a particular manner, with black, to give them a fine lustre. Eye-painting, we find, was common in Ezekiel's time, (ch. xxiii. 40.) "Thou didst wash thyself, paint-
"edst thine eyes, and deckedst

"thyself with ornaments." The particular colours which the Women of Palestine affected, are not mentioned: but, among the Persians and Arabians, we find not only red, black, and white, but even saffron and other yellow washes for the face. Their hair they comb with great care; and they highly perfume it with odorous unguents or pomatus. Tire-women are much employed: and there are even females, whose only business is to clean, thin, and sharpen the teeth.

Among other fashions, which may possibly have been borrowed from Asia, are ornamental patches. Black moles on the face have been long considered as a singular beauty in the East. We have only to look into the Arabian and Persian poets for innumerable instances of the enthusiasm with which they admired this fancied elegance. That the ladies would, of consequence, use every art to imitate a beauty so highly prized, is extremely natural: and hence, perhaps, arose the fashion of substituting imprinted marks, or patches of black silk, to counterfeit nature. Upon the same principles we may account for the number of words in the Arabic and Persian languages which signify bolstering or quilting of the petticoats, to give an appearance of that fine swell below the waist, which those people esteem as one of the greatest elegancies of the female shape. False hair is also frequently alluded to; and feathers appear to have been more generally worn, than they were even lately by the ladies of England.

I have now in my possession a valuable eastern manuscript, the property

property of General Carnac, Governor of Bombay; which he purchased when Commander in Chief of the East India Company's forces in Bengal, for 1000 rupees (1251.) It contains extracts from the finest authors, especially Persians: some of which are ornamented in the Eastern manner, with drawings of the heroes and heroines of their poems. Some of the faces have considerable merit: and the dress of the Princesses, when unveiled, has, in many respects, a resemblance to some of the fashions of Europe. They are often drawn without any head-dress: the hair dark; and the ringlets waving down over their neck and shoulders. They have frequently round their heads a kind of diadem, set with precious stones; from which rise one or more tufts of feathers: the quills of which are set in sockets of gold and gems. Sometimes they have a short stubbed appearance; and sometimes they are long, and flow gracefully backwards. They wear sometimes nose-jewels, which those who have not been accustomed to them can never think a beauty. They have also ear-rings, not only in the lob, but in the upper part of the ear. Their necklaces consist of many rows of jewels, the lowest of which hang down over the bosom. Their dress, in general, when the upper garment is laid aside, is fitted exactly to the shape; and seems nearly to resemble what, I believe, is called a Jesuit; buttoning down the breast, covering the neck pretty high, and the arms down to the wrists. There is sometimes a large square jewel on the fore part of the arm, a little below the shoulder. Their girdles are very broad,

generally made of fine leather; and covered entirely over with embroidery and gems. Their robes are long and flowing behind: and their ancles are often encircled with a ring of gold, ornamented with jewels. Upon their head they wear sometimes a low-crowned cap, terminating in a point, round which they wreath several folds of fine linen or silk; to the top of which, when they go abroad, they fasten, with a gold bodkin, a veil which covers the face and a great part of the body. There are few of the female faces which have not one or two black moles or artificial marks; which the Persians name *Kbal*, and the Arabians *Uteb*.—Women of inferior rank, who cannot purchase jewels, make their necklaces, bracelets, and other ornaments, of small shells, or beads of different coloured glass.

It may be observed, before we finish this article of dress, that face and eye-painting are also in use among the men; who pay the same attention to their beards, which the women pay to their hair. They perfume them highly, and often tinge them; sometimes of a fine red, sometimes with saffron, and with various other dyes. Red was the favourite colour of Mohammed, Abubeker, or Omar: and their example was greatly followed.

*Biographical Anecdotes of the late
Mr. Garrick.*

DAVID Garrick, Esquire, was born at Hereford, about the month of February, 1716. His grandfather was a merchant of

of French extraction, as it is said, who left his native country on the revocation of the edict of Nantz in the year 1685. This gentleman had two sons and two daughters: one of the former became a wine-merchant at Lisbon; and the other, whose name was Peter, the father of the late Mr. Garrick, followed the military profession, and had at the time of his death been advanced to a majority in the army. He married an Irish lady, and happened to be quartered at the Angel-Inn in Hereford, where his son David (who was baptized * the 28th of February, 1716) was born. Mr. Garrick, the father, afterwards settled at Litchfield, and resided there several years. A short time before his death he determined to sell his commission, and for that purpose entered into a treaty with a gentleman who had agreed to give him 1100*l.* for it; but, unfortunately, before the sale was compleated he died, and left a numerous family in a great measure unprovided for.

His son David received the first part of his education at the free school of Litchfield; and very early found a friend in Gilbert Walmisley, Esq; † register of the ecclesiastical court there; a gentle-

man then unmarried and well advanced in years, whose partiality seemed to authorise some favourable expectations of a permanent provision; all which however were destroyed by Mr. Walmisley's unexpectedly taking a wife. He, however, recommended his young friend to Mr. Colson, master of the academy at Rochester, in order to compleat his education; and accordingly, in the month of March, 1736, Mr. Garrick left Litchfield, in company with Dr. Samuel Johnson, who at the same time quitted his profession of a schoolmaster, and came to London, where he has since become one of the first ornaments of literature.

On the death of his father Mr. Garrick went over to Lisbon, and was received by his uncle with great kindness; and here perhaps he might have remained, but, that strictness of morals which a fond relation wished to see in his nephew not being observed at that place, to prevent his being corrupted, it was thought proper to send him back to England; his uncle still preserving a great regard for him, which he shewed at his death by leaving him a legacy of 1000*l.*

* The following is an extract from the register book of the parish of All Saints in the city of Hereford: "David Garrick, the son of Peter and Arabella Garrick, was baptized the 28th of February, 1716."

† This gentleman was also the friend of Dr. Samuel Johnson; who has given the world an account of his character in the preface to the Poems of Mr. Edmund Spenser, in the following manner: "at this man's table, I spent my instructive hours, with companions such as are who has lengthened, and one who has gladdened my life; and I shall be remembered; and I shall be remembered by this character of him, disappointed by his disappointment, and his disappointment by his disappointment."

It appears from Mr. Walmfley's letters, that Mr. Garrick was intended for the profession of the law; and accordingly, on the 9th day of March, 1736, immediately on his arrival in London, he was entered of the society of Lincoln's-Inn; but it is certain he never paid any attention to the study of that science; and indeed it is with-in the memory of many yet living, that his employment for a short time, in the interval between his return from Lisbon and his appearance on the stage, was of a nature very different from what he was first destined to, and what he afterwards pursued with so much reputation and success. We are credibly informed that he followed the business of a wine-merchant somewhere in or near Durham-Yard, being induced thereto, it may be presumed, by the encouragement and support of his uncle.

To whatever cause it was owing, we are not informed; but his success in business was not sufficient to engage his continuance in it; and this want of success might perhaps arise from his attention to a more pleasing pursuit. He had at school performed the part of Serjeant Kite with applause; and he was now prompted to employ the talents which he possessed for his immediate support. He therefore went down to Ipswich, under the name of Lyddel, and performed in a strolling company there. The part in which he first appeared was that of Abqan in Oroonoko; and the approbation he met with in this country excursion encouraged him to pursue his plan in London. He, therefore, after being (as it is reported) rejected

VOL. XXII.

by the manager of Covent Garden, to whom he had offered his service, engaged with Mr. Gifford, at the theatre in Goodman's Fields, in the year 1740. The character he then attempted was that of Richard the Third; and he performed it in a manner which fixed his reputation on that basis upon which it stood, as the first actor of the times, during the rest of his life. Two circumstances were observed on his first night's performance; one, that, on his entrance on the stage, he was under so much embarrassment, that for some time he was unable to speak: the other, that, having exerted himself with much vehemence in the first two acts, he became so hoarse as to be almost incapable of finishing the character. This difficulty was obviated by a person behind the scenes recommending him to take the juice of a seville orange, which he fortunately had in his pocket, and which enabled him to go through the remainder of the character with that degree of excellence which he always afterwards shewed in the performance of it, and which produced the applause which ever after uniformly attended him in it. The person to whom he owed the seasonable relief was the late Mr. Dryden Leach, printer, who used often to tell the story to his friends.

It was during this first year of his theatrical life that he produced the farce of *The Lying Vallet*; a performance which has given pleasure to numberless spectators, even after the principal character ceased to be performed by its author. At the end of the season he went over to Ireland, and in that king-

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dom added both to his fortune and his fame. The next year (1742 to 1743) he performed at Drury Lane, and the year after (1743 to 1744) at the same theatre. At the beginning of this season he was involved in a dispute with Mr. Macklin, who had joined with him in opposing the oppressions of the managers. That gentleman complained that he was deserted in the agreement made with the managers, and published a state of his case, in a pamphlet, intitled, "Mr. Macklin's Reply to Mr. Garrick's Answer. To which are prefixed, all the Papers which have publicly appeared in regard to this important dispute." The next year (1744 to 1745) he continued at Drury Lane; but the succeeding season (1745 to 1746) he went again to Dublin, and engaged with Mr. Sheridan as joint sharer and adventurer in the theatre there. In May 1746, he returned to London, and performed in six plays at the end of that month at Covent Garden, by which, we are told, he added 300*l.* to a great sum acquired in Ireland. He performed but one year more as an hired actor (1746 to 1747) which was at Covent Garden theatre, where he produced *Miss in her Teens*.

The mismanagement of the patentees of Drury Lane Theatre after the deaths of Booth and Wilks, and the retirement of Cibber from the stage, had ruined every person concerned in it. At this period the successors of Mr. Fleetwood became involved in so many difficulties, that it was no longer possible for them to continue the conduct of a business to which

they were strangers, and which therefore they ought never to have engaged in. In 1745 that gentleman had left the theatre to his creditors to manage, after making the best terms he was able for himself. They conducted the business of it for two seasons, when, unable to continue the management any longer, the property of the patent, house, and scenes, was hawked about to several persons: but so apprehensive was every one become of the hazard of intermeddling with the theatre, that no purchaser was for some time to be found. At this juncture the late Mr. Lacy stepped forward, and boldly ventured to engage for the purchase. Having the reputation of a man of integrity, he soon found friends among the monied men to support him in his undertaking; the success of it, he prudently concluded, must depend in some measure on the abilities of the person with whom he should connect himself in the scheme. Mr. Garrick's reputation, both as a man and an actor, naturally led him to wish for his junction. A treaty was soon begun, and an agreement between them afterwards took place. Application was made for a new patent; which was obtained, and both their names inserted in it. The season which began in 1747 was the first of their management, and was opened with an admirable Prologue, written by Dr. Johnson, and spoken by Mr. Garrick. From this time Drury Lane Theatre, which had been so fatal to many adventurers, became the source of wealth and independence to both partners, who jointly exerted their several abilities in the manage-

management of the undertaking, with a degree of harmony which did credit to their understandings, and with a share of success which in some measure must be ascribed to that good correspondence which subsisted between them.

After he had been a manager two years, and the dissipation of youth had subsided, the charms of a lady, who then lived with the Countess of Burlington as a companion, made a conquest of him. It is unnecessary to add that this lady is at present his widow. She is, we are informed, by birth a German. Her parents lived at Vienna; and she appeared on the stage there as a dancer. About the year 1744 she came to England, and performed at one of the theatres one or two seasons. She was then called Madame Eva Maria Violetti. The union between them took place on the 22d day of June, 1749; and we add, with great pleasure, that no marriage ever was attended with more happiness to both parties than this for near thirty years, during which time, it is on good authority asserted, they scarce passed a day separate from each other.

The theatrical season which commenced in the year 1750, was rendered remarkable by the spirit of rivalry which prevailed at both houses. At the beginning of Mr. Garrick's management he had engaged Barry, Macklin, Pritchard, Woffington, Cibber, and Clive; and, with these excellent performers, it may be imagined the profits of the house were very considerable. Soon after, Mr. Barry, who was under articles, refused to continue any longer at Drury Lane, and, when sued for the breach

of his contract, escaped from the penalty by means no way redounding to his honour. Macklin and Mrs. Cibber likewise went over to Covent Garden; as did Mrs. Woffington, who is said to have entertained expectations of being united in marriage with Mr. Garrick. With these deserters, aided by the Veteran Quin, Mr. Rich opened Covent Garden Theatre. Mr. Garrick, not intimidated by the strength of the opposition, took the field on the 5th of Sept. with an occasional Prologue spoken by himself; which was answered by another delivered by Mr. Barry; and this again replied to by a very humorous Epilogue, admirably repeated by Mrs. Clive. Those were only preludes to the trial of strength which was soon to follow. The play of Romeo and Juliet had lain dormant many years. This was now revived at both houses: at Drury Lane, with alterations by Mr. Garrick, who performed the principal character; Mr. Woodward playing Mercutio; and Mrs. Bellamy, Juliet; against them at Covent Garden, were Mr. Barry and Mrs. Cibber in the principal characters, and Mr. Macklin in Mercutio. Both houses began on the first of October; and continued to perform it for 12 successive nights; when Covent Garden gave up the contention; and its rival kept the field one night more, with the credit of holding out longer than its opponent, though it is supposed neither side reaped much advantage from the spirit of perseverance which had governed them both in this contest.

In the year 1754, on the 6th day of March, died Mr. Pelham,
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who

who had conducted the business of government for some years before with candour, ability, and integrity. He was sincerely lamented by both prince and people; and on this occasion Mr. Garrick displayed his poetical talents, in an ode which we are told ran through four editions in a few weeks. It is a performance which does credit to him, both as a man and a poet, and is preserved in the fourth volume of Dodley's Collection of Poems.

The snarlers against Mr. Garrick's management of the theatre had a long time complained that he conducted himself with too strict an attention to economy in the ornamental and decorative parts of theatrical exhibitions. They were perpetually throwing out insinuations, that the manager, relying on his own powers, was determined to regulate the entertainments of the stage with an eye only to his own advantage, and without any regard to the satisfaction of the public.—These murmurs had continued some time, when at last Mr. Garrick determined to meet the wishes of his friends, and to silence the discontents of his enemies. For this purpose he applied to Mr. Denoyer, sen. to recommend some person of genius to superintend and contrive a splendid spectacle to be exhibited at Drury Lane. The person fixed upon for that purpose was Mr. Noverre, a Swiss; who immediately received orders to engage the best troop of dancers that could be procured. These he selected from the foreign theatres; and they consisted of Swiss, Italians, Germans, and some French. The entertainment in which they

were employed was soon after contrived. It was called *THE CHINESE FESTIVAL*; and was, in the theatrical phrase, got up with great magnificence, and at a very considerable expence. The expectations of the managers were however wholly disappointed in the success of the performance. Although but few of the French nation were employed in it, yet a report had industriously been spread, that not only French dancers had been sent for over, but French dresses also, and even French carpenters and manufacturers. The nation was then on the eve of a war; and this afforded an opportunity for engaging the passions of those who professed themselves Antigallicans. They accordingly formed associations, to discourage the several performers, and suppress the obnoxious performance whenever it should appear. At length, after having taken up more than eighteen months in preparing, it was brought before the publick, and received with all the virulence and opposition which might be expected from the violence and heat of the times. The first performance of it was on the 8th day of November 1755, and was honoured with the presence of his late Majesty; yet, notwithstanding that circumstance, it did not even then escape ill-treatment. On the second, third, fourth, and fifth nights the riots continued with increasing strength, though opposed each evening by several young men of fashion, who had determined to support the performance. On the sixth evening the opposition acquired fresh vigour and increasing numbers. They frustrated every

every attempt to proceed in the exhibition; and committed every excess which a mob, subject to no controul, is apt to indulge itself in. That evening was the last representation. After receiving assurance that the piece should be acted no more, the heroes who had signalized themselves in this important business proceeded to Mr. Garrick's house in Southampton-street, where they broke his windows, and did other damages. They then dispersed, and the proprietors of the theatre were obliged to submit to the loss of more than four thousand pounds.

It would be impossible to enumerate the several small pieces of poetry which Mr. Garrick used to throw out from time to time, as his leisure permitted, to compliment his friends, or to celebrate public events. In 1759, Dr. Hill wrote a pamphlet, intituled, "To David Garrick, Esq; the Petition of *I*, in behalf of herself and her sisters." The purport of it was to charge Mr. Garrick with mispronouncing some words including the letter *I*, as *furm* for firm, *vurtue* for virtue, and others. The pamphlet is now forgotten; but the following Epigram, which Mr. Garrick wrote on the occasion, deserves to be preserved, as one of the best in the English language:

To Dr. Hill, upon his petition of the letter I to David Garrick, Esq;

If 'tis true, as you say, that I've injur'd a letter,
I'll change my notes soon, and I hope for the better:
May the just right of letters, as well as of men,
Hereafter be fix'd by the tongue and the pen!

Most devoutly I wish, that they both have
their due,
And that *I* may be never mistaken for *U*.

From this period no event of importance occurs in the annals of Mr. Garrick's life until the year 1761. The business of the theatre went on without interruption; and he continued to acquire both reputation and fortune. In that year, however, he found himself obliged to exert his poetical talents, in order to correct the impertinence of an insignificant individual, a Mr. Fitzpatrick, who, without provocation, and in defiance of decency, carried on a weekly attack against him, in a paper called "The Craftsman." The original cause of the quarrel, we are informed, was grounded on some illiberal reflections which Mr. Fitzpatrick threw out against Mr. Garrick, and which the latter resented with spirit and propriety, though a considerable time had elapsed before he was provoked to take public notice of him. As Mr. Fitzpatrick's writings are now entirely forgotten, the revenge which Mr. Garrick took of him must, from that circumstance alone, be involved in some obscurity. Those, however, who are unacquainted with either persons or facts will receive pleasure in reading Mr. Garrick's admirable satire published on this occasion, intituled *THE FRIBLERIAD*, a Poem, which had the honour of being highly commended by Churchill, who has also given a very severe correction to the same person.

However unequal Mr. Fitzpatrick was to the task of contending with Mr. Garrick in a literary warfare,

warfare, yet the rancour which his defeat had engendered, pointed out a new mode of attack to distress his antagonist. It had been customary, on the representation of a new performance, to refuse admittance at any part of the evening, unless the whole price of the entertainment was paid. This had almost invariably been the rule; and it had hitherto been submitted to, as a reasonable demand from the managers, to compensate for the extraordinary expence which new dresses and scenes occasioned. To gratify his resentment, Mr. Fitzpatrick seized on this circumstance as a ground to disturb the peace of the theatre, and to involve the managers in a contest with the public. For this purpose hand-bills were dispersed about the coffee-houses in the neighbourhood of Drury-lane, recommending a peremptory demand to be made, and requiring an absolute promise to be given, that no more than half the usual price should be taken on any evening of performance after the third act, unless at the representation of a new pantomime. A kind of association was entered into by several young men, to obtain a redress of this grievance, as it was called; and Mr. Fitzpatrick put himself at the head of it. The evening on which the attack was made happened to be when *The two Gentlemen of Verona* was performed for the alterer's benefit. The performance accordingly was interrupted, after several attempts to proceed in it; and the proprietors of the house, thinking the requisition an unjust one, and the manner of making it improper to be acceded to, refused to submit

to it: in consequence whereof, no play was acted that night; and the audience received their money again at the doors, having first amused themselves with doing all the mischief they were able. By this trial, the malecontents had discovered their strength, and determined to carry their point in humbling the pride of the manager. On the next performance, which was at the tragedy of *Elvira*, they collected their whole force, and again prevented the actors proceeding in the play. It was in vain that Mr. Garrick desired to be heard in defence of the ancient customs of the theatre. The opposition insisted on a peremptory answer to their demand in the new regulation; which, after some time, the proprietors of the house were obliged to agree to; and once more peace was restored to the theatre after a considerable loss had been sustained, and obliged to be submitted to.

This season was the last in which Mr. Garrick could be said to have acted in the regular course of his profession. From this time he declined performing any new characters; and, finding his health declining, by the advice of his physician he determined to give himself some relaxation from care and fatigue. He therefore made the arrangements necessary for carrying on the public entertainments during his absence; and on the 15th of September, 1763, the day on which the house opened, he left London, in order to make the tour of France and Italy. To supply his place, he engaged the late Mr. Powell, who had received his instructions the preceding summer, and whose success was equal

to the abilities he possessed. To the honour of his employers, it may be added, that his abilities were not higher than the encouragement he received for the exertion of them. Although he was engaged for a term of years at a small salary; yet he was, before the season closed, generously allowed an appointment equal to the first performer in the house. We are credibly enformed, the profits that year exceeded even those in which Mr. Garrick performed in the height of his reputation.

The interval from this period, until the month of April, 1765, Mr. Garrick employed in travelling through the principal parts of Europe; and was, at every place where he resided, and at most of the courts to which he was introduced, received in the most honourable and cordial manner; by the great, as well as by men of letters, each vying with the other in shewing respect to the greatest dramatic character of the age. While he stayed at Paris, he amused himself with reading *Fontaine's Fables*; which pleased him so much, that he was induced to attempt an imitation of them. He accordingly wrote one, called *The Sick Monkey*; which he transmitted over to a friend, to be ready for publication immediately on his arrival. It accordingly made its appearance in two or three days after, with the following motto: "Thursday afternoon David Garrick, Esq; arrived at his house in Southampton-street, Covent Garden. Public Advertiser, April 27, 1765." And he had the pleasure of hearing the sentiments of his

friends upon it; many of whom mistook it for a satire upon him, and accordingly expressed themselves in very warm terms on the occasion.

Immediately on his arrival he resumed the management of the theatre, and introduced some improvements which had been suggested by his observations on the conduct of the foreign stages. From the list of his works, it will be seen that he had not been idle while abroad. He produced the next season several new pieces, and in the beginning of 1766, the excellent comedy of *The Clandestine Marriage*, written in concert with Mr. Colman. He also, at the request of his Majesty, appeared again on the stage; and on that occasion spoke a new prologue, replete with those strokes of humour which, in that species of composition, manifested his superiority over all his contemporaries.

In that year died Mr. Quin and Mr. Cibber. Their deaths were very pathetically taken notice of in the prologue to *The Clandestine Marriage*; and for the former Mr. Garrick wrote an epitaph, which was placed over his tomb in the cathedral church of Bath. Mr. Quin was the only performer of any reputation when Mr. Garrick first appeared on the stage, and he had likewise been one of his earliest opposers. When he saw the success which attended the performances of his rival, he observed, with his usual spleen, that *Garrick was like a new religion. Whistfield was followed for a time, but they would all come to church again.* We mention his anecdote merely on

account of the reply which it induced Mr. Garrick to write, and which was as follows :

Pope *Quin*, who damns all churches but
his own,
Complains " that *Heresy* corrupts the
" town ;
" That *Whitfield* *Garrick* has misled the
" age,
" And taints the sound religion of the
" stage ;
" Schism, he cries, has turn'd the nation's
" brain,
" But eyes will open, and to church
" again !"

Thou great infallible ! forbear to roar,
Thy bulls and errors are rever'd no more ;
When doctrines meet with general appro-
bation,
It is not *Heresy*, but *Reformation*.

For several years however before Mr. Quin's death great cordiality had subsisted between him and Mr. Garrick, at whose house at Hampton he spent some time, a few months before his death, and there first discovered the symptoms of that disorder which carried him to his grave.

The year 1769 was remarkable for the celebration of a jubilee at Stratford upon Avon, the 6th, 7th, and 8th of September, in honour of Shakespeare ; a ceremony which very much engaged the public attention, although it was treated by some as a subject worthy only of ridicule, and by others as a compliment due to the great writer whose memory it was intended to honour. The circumstance which gave rise to it happened some time before, and was as follows : A clergyman, into whose possession the house once belonging to our great poet had come, found that a mulberry tree, which grew in the garden, and which had been planted ac-

cording to tradition by Shakespeare himself, overshadowed too much of his mansion, and made it damp. To remedy this inconvenience, he caused it to be cut down, to the great mortification of his neighbours, who were so enraged at him, that they soon rendered the place, out of revenge, too disagreeable for him to remain in it. He therefore was obliged to quit it ; and the tree, being purchased by a carpenter, was re-tailed and cut out in various relics of stand-dishes, tea-chests, tobacco-stoppers, and other things ; some of which were secured by the corporation of Stratford. The gentlemen belonging to this body soon after agreed to present Mr. Garrick with the freedom of their borough in a box made from the mulberry tree ; and their Steward at the same time was ordered to acquaint him, that the corporation would be happy in receiving from his hands some statue, bust, or picture of Shakespeare, to be placed within their new town-hall ; together with a picture of himself.

This circumstance probably gave Mr. Garrick the first idea of performing a jubilee to the honour of Shakespeare ; and, at the conclusion of the theatrical season, he invited his audience to be present at it in the following terms :

" My eyes till then no fights like this
" will see,
" Unless we meet at Shakespeare's ju-
" bilee.
" On *Avon's banks*, where flowers eternal
" blow,
" Like its full stream our gratitude shall
" flow !
" There let us revel, shew our fond re-
" gard ;
" On that lov'd spot, first breath'd our
" matchless bard ;

" To

" To him all honour, gratitude is due,
" To him we owe our all — to him and
" you."

The manner in which this entertainment was to have been performed, the disappointments it sustained, and the several occurrences which took place at it, are all so recent in the memories of most of our readers, and were so accurately related at the time they happened, that we shall not recapitulate them here. It is sufficient to observe, that accident deprived those who were present of part of their entertainment; that all which was exhibited gave general satisfaction; and that Mr. Garrick, who was a great sum of money out of pocket by it, framed an entertainment, which was performed at Drury-Lane theatre 92 nights with great applause to very crowded audiences. The Ode which was spoken by him at Stratford was also repeated at the same theatre, but not with much success, being performed only seven times.

The management of a theatre is always attended with anxiety and vexation; the difficulty of satisfying the several candidates for theatrical fame is so great, that he who can preserve the friendship of those whose pieces he rejects, must be allowed to possess very extraordinary abilities. In the year 1772, it was Mr. Garrick's misfortune to be embroiled with a very irascible and troublesome person, who claimed the representation of one of his pieces at Drury Lane; and he enforced his demand in a manner that will always reflect disgrace on his memory. He published a poem to intimidate the manager, called *Love in the Suds*, containing insinuations of the basest kind, and which he afterwards denied having

had any intention to convey. Mr. Garrick had recourse to the court of King's Bench, to punish the infamous libeller of his reputation; and, notwithstanding he had been a second time insulted by another publication conceived with equal malignity, he was weak enough to stop the prosecution he had commenced, on his adversary's signing an acknowledgement of his offence, which was printed in all the public papers. It cannot be denied but that the interests of society demanded that so gross an offender should meet with punishment, and that no concessions ought to have been allowed to deprecate that stroke which the law would have inflicted on so heinous a crime.

From this time no event of importance happened, until the resolution which Mr. Garrick had begun to form of quitting the stage was, to the concern of every one, carried into execution. It will be a matter of surprize, both to the present and future generations, to learn that this determination was accelerated by the caprices of one or two celebrated actresses, who had contrived to render his situation so uneasy to him, that he frequently used to declare, that he should have continued some time longer in his public capacity, had it not been for the plague these people occasioned. In the beginning of the year 1776, he entered into an agreement with some of the present patentees, for the sale of his interest in the theatre; but continued to act during the remainder of that season. The last night of his performance was, for the theatrical fund, on the 10th day of June in that year, when he represented the character of

of Don Felix in *The Wander*. At the conclusion of the play he came forward, and addressed the audience in a short speech, wherein he said, "it had been usual for persons in his situation to address the public in an Epilogue; and that he had accordingly turned his thoughts that way, but found it as impossible to write, as it would be to speak, a studied composition; the jingle of rhyme and the language of fiction ill suiting his then feelings: that the moment in which he then spoke was indeed an awful one to him: that he had received innumerable favours, from the public, and took his leave on the spot where those favours were conferred." He then said, that, whatever the events of his future life might be, he should ever remember those favours with the highest satisfaction and deepest gratitude; and though he admitted the superior skill and abilities of his successors, he defied them to exert themselves with more industry, zeal, and attention, than he had done." This speech, which was delivered with all that emotion which the particular situation of the speaker rendered very interesting and affecting, was received with the loudest bursts of applause; and he left the stage with the acclamations of a numerous and polite audience, who were unable to forbear expressing the deepest concern for the loss of their favourite performer.

Mr. Garrick now retired to the enjoyment of his friends, the most

respectable in the kingdom, and of a large fortune, acquired in the course of more than thirty years: but the stone, which he had been afflicted with some time, had already made such inroads on his constitution, that he was unable to communicate or receive from his friends that pleasure which his company afforded, except at times, and in a very partial manner. It is supposed that he injured his health by the application of quack medicines, and often experienced the most violent torments from the severity of his disorder.

In August, 1777, Mr. Garrick, accompanied by his neighbour and friend, Mr. Hen. Hoare, of the Adelphi, made a visit to Mr. Hoare, of Stourhead, in Wilts. Being particularly charmed with the Grotto, he said he should like it for his burying-place; upon which one of the company wished him to write his own Epitaph; which, as soon as he returned to the house, he did, extempore.

Tom Fool, the tenant of this narrow space,
(He play'd no *fœliſh* part to chuse the place)

Hoping for mortal honours e'en in death,
Thus spoke his wishes with his latest breath.

"That *Hal* *, *ſevent-bloded Hal*, might
"once a-year,

"Quit ſocial joys to drop a friendly tear;

"That *Earle* †, with magic ſounds that
"charm the breath,

"Should with a requiem teach his ſoul to
"reſt;

"Full charg'd with humour, that the
"ſportive *Ruſſ* ‡

"Should fire three volleys o'er the *duſt* to
"duſt;

"That honeſt *Benſon* §, ever free and
"plain,

"For once ſhou'd ſigh, and wiſh him
"back again;

* Hen. Hoare, jun. † Benſon Earle, of Salisbury.

‡ John Benſon, Eſq;

John Ruſſ, Eſq;

"That

" That Hoare * too might complete his
 " glory's plan,
 " Point to his grave and say—I lik'd the
 " man."

At Christmas, 1778, he went to visit Lord Spencer at Althorp, in Northamptonshire, during the holidays. He there was taken ill; but recovered so far that he was removed to town, where growing worse, he died in a few days afterwards, at his house in the Adelphi, on the 20th day of January last, at the age of 63 years; leaving behind him the character of a friendly, humane, charitable, and (notwithstanding many idle reports we may add) liberal man; one who felt for distress, and relieved it; a cheerful companion, a pleasing writer, and the first actor of this or any other age.

List of Mr. Garrick's Writings.

THE Lying Valet, a Comedy, of two acts, 8vo, 1740. First acted at Goodman's Fields, and afterwards at Drury Lane.

Mifs in her Teens, or the Medley of Lovers, a Farce in two acts, performed at Covent Garden, 8vo, 1747. The hint of this piece was taken from *La Parisienne* of D'Ancourt.

Lethe, a Dramatic Satire, acted at Drury Lane, 8vo, 1748. This admirable performance, which ranks with the first of its kind, was originally represented in a very imperfect state at Goodman's Fields, when the author was engaged there. The first sketch, as then performed, was printed in 12mo, 1745, under the title of *LETHE, OR ÆSOP IN THE SHADES*.

Romeo and Juliet, a Tragedy, altered from Shakespeare, acted at Drury Lane, 12mo, 1750.

Every Man in his Humour, a Comedy, altered from Ben Jonson, acted at Drury Lane, 8vo, 1751. This alteration consists chiefly of omissions and transpositions, with the addition of a whole scene in the 4th act. It was excellently acted. Those who remember the original performers do not expect to see a play ever so completely filled again in every character. Prologue by Mr. Whitehead.

The Fairies, an Opera, altered from Shakespeare, set to Music by Mr. Smith, 8vo, 1755. Prologue by Mr. Garrick.

The Tempest, an Opera, altered from Shakespeare, set to music by Mr. Smith, 8vo, 1756. The prologue to this piece is evidently by Mr. Garrick.

Florizel and Perdita, a Dramatic Pastoral, in three acts, performed at Drury Lane, 1756. This is taken from *The Winter's Tale*, and was originally acted under that title. It was not printed until 1758.

Catherine and Petrucio, a Farce, acted at Drury Lane, 8vo, 1756. An alteration of Shakespeare's *Taming of the Shrew*. Performed on the same night as *Florizel and Perdita*.

Lilliput, a Dramatic Entertainment, acted at Drury Lane, 8vo, 1757. This was acted by children. In 1777 it was revised by the author, and performed at the Hay-market.

The Male Coquet, or Seventeen Hundred and Fifty Seven, a Farce, acted at Drury Lane, 8vo, 1757.

* Henry Hoare, of Stourhead.

This little piece was first acted at Mr. Woodward's benefit. It was planned, written, and acted, in less than a month.

The Gamesters, a Comedy, altered from Shirley, acted at Drury Lane, 8vo, 1758.

Isabella, or the Fatal Marriage, a Play altered from Southern, acted at Drury Lane, 8vo, 1758. An alteration of *The Fatal Marriage*, by omission of the comic scenes.

The Guardian, a Comedy, in two acts, performed at Drury Lane, 8vo, 1759. This was performed the first time for the benefit of Mr. Christopher Smart, a very agreeable but unhappy poet, then under confinement. It is taken in a great measure from the celebrated Pupillé of Mons. Fagan.

The Enchanter, or Love and Magic, a Musical Drama, acted at Drury Lane, 8vo, 1760.

Harlequin's Invasion, a Speaking Pantomime, acted at Drury Lane, 1761; not printed. We are told this was originally performed at Bartholomew Fair.

Cymbeline, a Tragedy, altered from Shakespeare, acted at Drury Lane, 12mo, 1761.

The Farmer's Return from London, an Interlude, performed at Drury Lane, 4to, 1762. This made its first appearance at Mrs. Pritchard's benefit.

The Clandestine Marriage, a Comedy, acted at Drury Lane, 8vo, 1766. This was a joint production with Mr. Colman, was acted with great applause, and may be considered as one of the best comedies in the English language.

The Country Girl, a Comedy, altered from Wycherley, acted at Drury Lane, 8vo, 1766.

Neck or Nothing, a Farce in

two acts, performed at Drury Lane, 8vo, 1766. This farce is ascribed to Mr. Garrick, although it has also been given to Mr. King. It is an imitation of the *Crispin Rival de son Maître* of Le Sage.

Cymon, a Dramatic Romance, acted at Drury Lane, 8vo, 1767.

A Peep behind the Curtain, or The New Rehearsal, a Farce, acted at Drury Lane, 8vo, 1767.

The Jubilee, a Dramatic Entertainment, acted at Drury Lane, 1769. This piece, which is not printed, was one of the most successful performances ever produced on the stage.

King Arthur, or the British Worthy, altered from Dryden, acted at Drury Lane, 8vo, 1770.

Hamlet, altered from Shakespeare, acted at Drury Lane about 1771. Not printed.

The Irish Widow, a Comedy of two acts, performed at Drury Lane, 8vo, 1772. The intention of this piece seems to have been merely to introduce Mrs. Barry (now Mrs. Crawford) in a new light to the audience, and is very successfully executed. The characters of Whittle, Sir Patrick O'Neale, and Thomas, are extremely well sustained, and that of Kecksy admirably.

The Chances, a Comedy, with alterations, acted at Drury Lane, 8vo, 1773. This is the Duke of Buckingham's play with the same title. The alterations are chiefly omissions of indecent passages, which the refinement of the present times would not suffer.

Albumazar, a Comedy, with alterations, acted at Drury Lane, 8vo, 1773. This excellent old comedy was revived with all the strength of the house, as it had been before in 1748; yet, notwithstanding,

standing, was not so successful as it deserved to have been.

Alfred, a Tragedy, altered from Mallet, acted at Drury Lane, 8vo, 1773.

A Christmas Tale, in five parts, acted at Drury Lane, 8vo, 1774. This hath since been reduced to two acts, and performed as an after-piece.

The Meeting of the Company, a Prelude, acted at Drury Lane, 1774. Not printed.

May Day, a Ballad Opera, acted at Drury Lane, 8vo, 1775.

The Theatrical Candidates, a Prelude, acted at Drury Lane, 8vo, 1775. The last two pieces are printed together.

He also made some alterations in *Rule a Wife and have a Wife*, *Mahomet*, and many other pieces,

which were performed during his management.

Besides the several pieces mentioned in the foregoing Anecdotes, he was the author of many Prologues and Epilogues, too numerous to be here particularized. He also wrote some poems in *Doddley's Collection of Poems*, Vol. III; Letters in the *St. James's Chronicle*, signed Oakley; and many little poems in *Magazines* and *News-papers*.

The Farce of *High Life Below Stairs*, which is frequently ascribed to him, is omitted in the above list, as there are many reasons to believe it to have been written by another person, the late Mr. Towary, Master of Merchant-Taylors school.

NATURAL HISTORY.

Account of a Cure of the St. Vitus's Dance by Electricity. In a Letter from Anthony Fothergill, M. D. F. R. S. at Northampton; to William Henly. F. R. S.

[From the Philosophical Transactions]

ANN AGUTTER, a girl of ten years of age, of a pale, emaciated habit, was admitted an out-patient at the Northampton-hospital on the 6th of June last. From her father's account it appeared (for she was speechless and with difficulty supported from falling by two assistants) that she had for six weeks laboured under violent convulsive motions, which affected the whole frame, from which she had very short intermissions, except during sleep; that the disease had not only impaired her memory and intellectual faculties, but of late had deprived her of the use of speech.

Volatile and fetid medicines were now recommended, and the warm bath every other night; but with no better success, except that the nights which had been restless became somewhat more composed. Blisters and anti-spasmodics were directed, and particularly the flowers of zinc, which were continued till the beginning of July, but without the least abatement of the

symptoms; when her father growing impatient of fruitless attendance at the hospital, I recommended, as a dernier resort, a trial of electricity, under the management of the Rev. Mr. Underwood, an ingenious electrician. After this I heard no more of her till the first of August, when her father came to inform me that his daughter was well, and desired she might have her discharge. To which, after expressing my doubts of the cure, I consented; but should not have been perfectly convinced of it, had I not received afterwards a full confirmation of it from Mr. Underwood, dated Sept. 16. an extract from whose letter I will now give you in his own words:

'I have long expected the pleasure of seeing you, that I might inform you how I proceeded in the cure of the poor girl. As the case was particular, I have been very minute, and wish you may find something in it that may be useful to others. If you think it proper, I beg you will state the case medically, and make it as public as you please.

'July 5. On the glass footed stool for thirty minutes: sparks were drawn from the arms, neck, and head, which caused a considerable perspira-

perspiration, and a rash appearance in her forehead. She then received shocks through her hands, arms, breasts, and back; and from this time the symptoms abated, her arms beginning to recover their uses*.

July 13. On the glass-footed stool forty-five minutes: received strong shocks through her legs and feet, which from that time began to recover their wonted uses; also four strong shocks through the jaws, soon after which her speech returned.

July 23. On the glass-footed stool for the space of one hour: sparks were drawn from her arms, legs, head, and breast, which for the first time she very sensibly felt; also two shocks through the spine. She could now walk alone; her countenance became more florid, and all her faculties seemed wonderfully strengthened, and from this time she continued mending to a state of perfect health.

Every time she was electrified positively, her pulse quickened to a great degree, and an eruption, much like the itch, appeared in all her joints.

Thus far Mr. Underwood. To complete the history of this singular case, I this day (Oct. 28.) rode several miles, on my return from the country, to visit her; and had the satisfaction to find her in good health, and the above account verified in every particular, with this addition, that at the beginning of the disease she had but slight twitchings, attended with running, staggering, and a variety of involuntary gesticulations which distinguish the St. Vitus's

dance, and that these symptoms were afterwards succeeded by convulsions, which rendered it difficult for two assistants to keep her in bed, and which soon deprived her of speech and the use of her limbs. The eruptions which appeared on the parts electrified soon receded, without producing any return of the symptoms, and therefore could not be called critical, but merely the effect of the electrical stimulus. Having given her parents some general directions as to her regimen, &c. I took my leave, with a strong injunction to make me acquainted in case she should happen to relapse. Before I conclude, it may not be improper to observe, that some time ago I was fortunate enough to cure a boy who had long had the St. Vitus's dance (though in a much less degree) by electricity. A violent convulsive disease, somewhat similar to the above, though, if I recollect right, not attended with the 'aphonia,' was successfully treated in the same way by Dr. Watson, and is recorded in the Philosophical Transactions. May we not then conclude, that these facts alone, and more might perhaps he produced, are sufficient to intitle electricity to a distinguished place in the class of antispasmodics?

I am, &c.

An Account of a Remarkable Impediment of Sight. From the same.

Rafan, May 26, 1777.

Rev. Sir,

I RECEIVED your favour in due time. I should have given

* The coated bottle held near a quart.

you my answer sooner, but have been greatly afflicted with the gout. I am very willing to inform you (and take your inquiry as a favour) of my inability concerning colours, as far as I am able from my own common observation.

It is a family failing: my father has exactly the same impediment: my mother and one of my sisters were perfect in all colours: my other sister and myself alike imperfect: my last mentioned sister has two sons, both imperfect;—but she has a daughter who is very perfect: I have a son and daughter, who both know all colours without exception; and so did their mother: my mother's own brother had the like impediment with me, though my mother, as mentioned above, knew all colours very well.

Now I will inform you what colours I have least knowledge of. I do not know any green in the world; a pink colour and a pale blue are alike, I do not know one from the other. A full red and full green the same, I have often thought them a good match;—but yellows (light, dark, and middle) and all degrees of blue, except those very pale, commonly called sky, I know perfectly well, and can discern a deficiency, in any of those colours, to a particular nicety: a full purple and deep blue sometimes baffle me. I married my daughter to a genteel, worthy man a few years ago; the day before the marriage he came to my house, dressed in a new suit of fine cloth cloaths. I was much displeased that he should come (as I supposed) in black; said, “He should go back to change his colour.” But my daughter said, “No, no; the colour is very gen-

teel; that it was my eyes that deceived me.” He was a Gentleman of the Law, in a fine, rich claret-coloured drefs, which is as much a black to my eyes as any black that ever was dyed. She has been married several years; no child living, and my son is unmarried; so how this impediment may descend from me is unknown.

I have a general good satisfaction in the midst of this my inability; can see objects at a distance when I am on travel with an acquaintance, and can distinguish the size, figure, or space, equal to most, and, I believe, as quick, colour excepted.

My business was behind a counter many years, where I had to do with variety of colours. I often, when alone, met with a difficulty; but I commonly had a servant in the way to attend me, who made up my deficiency. I have been now seven years from trade. My eyes, thank God, are very good at discerning men and things.

If your learned society can search out the cause of this very extraordinary infirmity, and find a method for an amendment, you will be so obliging to acquaint me. I am, &c.

J. SCOTT.

An Account of the Island of St. Miguel; by Mr. Francis Mafon, in a Letter to Mr. William Aiton, Botanical Gardener to his Majesty. From the same.

St. Miguel, Aug. 10, 1777.

S I R,

I Have visited the greatest part of this island, and find that its produc-

productions differ greatly from those of Madeira, inasmuch that none of the trees of the latter are found here, except the *faya*: it has a nearer affinity to Europe than Africa. The mountains are covered with the *erica vulgaris*, and an elegant ever-green shrub very like a *phillyrea*, which gives them a most beautiful appearance. Notwithstanding this island has been frequently visited by Europeans, I cannot help communicating to you a few of its singularities. It is one of the principal and most fertile of the Azores, sometimes called the Western Islands, of which there are nine, belonging to the crown of Portugal, and situated about 500 miles west of Lisbon. Longitude west from London 25 to 33. Latitude 36 to 40 north.

The length of St. Miguel is about eighteen or twenty leagues, nearly east to west; its breadth is unequal, not exceeding five leagues, and in some places not more than two. It contains about 80,000 inhabitants.

Its capital, the city of *Ponta del Guda*, which contains about 12000 inhabitants, is situated on the south side of the island, on a fine fertile, plain country, pretty regularly built; the streets straight and of a good breadth. It is supplied with good water, which is brought about the distance of three leagues from the neighbouring mountains. The churches and other religious edifices are elegant and well built for such an island. There is a large convent of Franciscan friars, and one of the order of St. Augustin, four convents for professed nuns, and three *recolhimentos* (houses of retirement) for young women and

widows who are not professed. The vessels anchor in an open road; but it is not dangerous, as no wind can prevent their going to sea in case of stormy weather. The country round the city is plain for several miles, well cultivated, and laid out with good taste into spacious fields, which are sown with wheat, barley, Indian corn, pulse, &c. and commonly produce annually two crops; for as soon as one is taken off, another is immediately sown in its place. The soil is remarkably gentle and easy to work, being for the most part composed of pulverized pumice stone. There are in the plains a number of pleasant country seats, with orchards of orange trees, which are esteemed the best in Europe.

The second town is *Ribeira Grande*, situated on the north side of the island, containing about as many inhabitants as the city; a large convent of Franciscan friars, and one of nuns. It gives title to a count, called the *Conde Ribeira Grande*, who first instituted linen and woollen manufactories in the island.

The third town is *Villa Franca*, on the south side of the island, about six leagues east of *Ponta del Guda*. It has a convent of Franciscan friars, and one of nuns, which contains about three hundred. Here, about half a mile from the shore, lies a small island (*Ilhas*) which is hollow in the middle, and contains a fine basin with only one entrance into it, fit to hold fifty sail of vessels secure from all weather; at present it wants cleaning out, as the winter's rain washes down great quantities of earth into it, which has

greatly diminished its depth. But vessels frequently anchor between this island and the main.

Beside these towns, are several smaller, viz. Alagoa, Agoa de Pac, Brejarha, Farnas de Ajuda, and a number of hamlets, called Lugars, or Places.

About four leagues north-east from Villa Franca, lies a place called *Farnas*, being a round deep valley in the middle of the east part of the island, surrounded with high mountains, which, though steep, may be easily ascended on horseback by two roads. The valley is about five or six leagues in circuit, the face of the mountains, which are very steep, is entirely covered with evergreens, viz. myrtles, laurels, a large species of bilberry, called *ura del ferra* (mountain grapes) &c. and numberless rivulets of the purest water run down their sides. The valley below is well cultivated, producing wheat, Indian corn, flax, &c. The fields are planted round with a beautiful sort of poplars, which grow into pyramidal forms, and by their careless, irregular disposition, together with the multitudes of rivulets, which run in all directions through the valley, a number of boiling fountains, throwing up clouds of steam, a fine lake in the south-west part about two leagues round, compose a prospect the finest that can be imagined. In the bottom of the valley the roads are smooth and easy, there being no rocks but a fine pulverized pumice stone that the earth is composed of.

There are a number of hot fountains in different parts of the valley, and also on the sides of the mountains: but the most remark-

able is that called the *Caldeira*, situated in the eastern part of the valley, on a small eminence by the side of a river, on which is a basin about thirty feet in diameter, where the water continually boils with prodigious fury. A few yards distant from it is a cavern in the side of the bank, in which the water boils in a dreadful manner, throwing out a thick, muddy, unctuous water several yards from its mouth with a hideous noise. In the middle of the river are several places where the water boils up so hot, that a person cannot dip his finger into it without being scalded; also along its banks are several apertures, out of which the steam rises to a considerable height so hot, that there is no approaching it with one's hand: in other places, a person would think, that a hundred smiths bellows were blowing all together, and sulphureous streams issuing out in thousands of places, so that native sulphur is found in every chink, and the ground covered with it like hoar frost; even the bushes that happen to lay near these places are covered with pure brimstone, condensing from the steam that issues out of the ground, which in many places is covered over with a substance like burned allum. In these small caverns, where the steam issues out, the people often boil their yams (inhames.)

Near these boiling fountains are several mineral springs; two, in particular, whose waters have a very strong mineral quality, of an acid taste and bitter to the tongue.

About half a mile to the westward, and close by the river side, are

are several hot springs, which are used by sick people with great success. Also on the side of a hill, west of St. Ann's Church, are many others, with three bathing houses, which are commonly used. These waters are warm, although not boiling hot; but at the same place issue several streams of cold mineral water, by which they are tempered, according to every one's liking.

About a mile south of this place, and over a low ridge of hills, lies a fine lake about two leagues in circumference, and very deep, the water thick, and of a greenish colour. At the north end is a plain piece of ground, where the sulphureous streams issue out in many places, attended with a surprising blowing noise. I could observe strong springs in the lake, but could not determine whether they were hot or cold: this lake seems to have no visible evacuation. The other springs immediately form a considerable river, called *Ribeira Quente* (hot river) which runs a course about two or three leagues through a deep rent in the mountain, on each side of which are several places where the smoke issues out. It discharges itself into the sea on the south side, near which are some places where the water boils up at some distance in the sea.

This wonderful place had been taken little notice of, until very lately; so little curiosity had the gentlemen of the island, that scarcely any of them had seen it, until of late some persons afflicted with very virulent disorders, were persuaded to try its waters, and found immediate relief from them. Since that time it has become more

and more frequented; several persons who had lost the use of their limbs by the dead palsy have been cured; and also others who were troubled with eruptions on their bodies.

A clergyman, who was greatly afflicted with the gout, tried the said waters, and was in a short time perfectly cured, and has had no return since.

When I was there several old gentlemen, who were quite worn out with the said disorder, were using the waters, and had received incredible benefit from them; in particular, an old gentleman, about sixty years of age, who had been tormented with that disorder more than twenty years, and often confined to his bed for six months together: he had used these waters about three weeks, had quite recovered the use of his limbs, and walked about in the greatest spirits imaginable. A friar also who had been troubled with the said disorder about twelve years, and reduced to a cripple, by using them a short time was quite well, and went a hunting every day. There are many other instances of the efficacy of these waters, which for the sake of brevity I must here omit.

There are several other hot springs in the island, particularly at *Ribeira Grande*; but they do not possess the same virtues, at least not in so great a degree. The east and west parts of the island rise into high mountains, but the middle is low, interspersed with round conic hills, all of which have very recent marks of fire; all the parts below the surface consisting of melted lava lying very hollow.

Most of the mountains to the westward have their tops hollowed out like a punch bowl, and contain water. Near the west end is an immense deep valley like the Furnas, called the *Sete Cidades* (the seven cities). This valley is surrounded with very abrupt mountains, about seven or eight leagues round; in the bottom is a deep lake of water, about three leagues in circuit, furnished with a great number of water fowls. This water has no mineral quality; neither are there any hot springs in the valley. All these mountains are composed of a white crumbly pumice stone, which is so loose, that if a person thrust a stick into the banks, whole waggon loads of it will tumble down. The inhabitants of the island relate a story, that he who first discovered it observed an extraordinary high peak near the west end; but the second time he visited it no such peak was to be seen, which he supposed must have certainly sunk; but however improbable this story may be, at some period or another it must have certainly been the case.

If you should think the account of the mineral waters of any service to the public, they are very welcome to it; and should any person venture so far for his health, a small stock of the superfluities of life only need be laid in, as the island yields every necessary. The climate is very temperate: the thermometer since I have been here has been no higher than 77° , commonly from 70° to 75° .

An Account of the Figure and Formation of the Earth—Of Subter-

aneous Fire and its Effects—Of the Deluge—Of the Origin of Mountains, Continents, &c.

[From Whitehurst's Enquiry into the original State of the Earth.]

HAVING premised the general laws or principles bestowed upon matter, let us endeavour to trace their operations in forming the chaotic mass into an habitable world.

The first operation which presents itself to our conception is the figure of the earth: for according to proposition the second, the fluid mass no sooner began to revolve upon its axis, than its component parts began to recede from their axes of motion, and thus continued till the two forces were equally ballanced, and the earth had acquired its present oblate spheroidal form.

The component parts being now arrived at a state of rest, with respect to the general laws of motion, began a second operation by means of their affinities; for particles of a similar nature attract each other more powerfully than those of a contrary affinity or quality.

Hence particles of air united with those of air; those of water with water; and those of earth with earth; and with their union commenced their specific gravities.

The uniform suspension of the component parts being thus destroyed by the union of similar particles, those bodies which were the most dense began their approach towards the center of gravity, and the others towards the surface.

Thus commenced the separation of the chaotic mass into air, water, earth, &c.

Now

Now as *air* is eight hundred times lighter than water, it seems to follow, by the laws of statics, that it became freed from the general mass in a like proportion of time, sooner than water, and formed a *muddy, impure atmosphere*.

The process of separation still goes on, and the earth consolidates every day more and more towards its centre, and its surface becomes gradually covered with water, until one *universal sea* prevailed over the globe, perfectly pure and fit for animal life.

Thus, by the union of similar particles, the component parts of the atmosphere and the ocean seem to have been separated from the general mass, assembled together, and surrounded the *terrestrial* globe.

To the peculiar laws of attraction may likewise be ascribed that sameness of quality which prevails in *strata* of different denominations, as calcareous, argillaceous, &c. and also the assemblage of all other particles into select bodies, of metals, minerals, salts, *alkalis*, spars, fluors, crystals, diamonds, rubies, amethysts, &c. and many other phenomena in the natural world.

Having thus defined the general laws or principles by which the component parts of the chaos were separated and arranged into the different classes of air, water, &c. it may not be improper to remark, that as the sun is the common center of gravity, or the governing principle in the planetary system, the presumption is great that the governing body was at least coeval with the bodies governed:

Therefore, as the chaos revolved upon its axis during the separation of its component parts, may we not thence infer, that as the atmosphere was progressively freed from its gross matter, light and heat must have gradually increased, until the sun became visible in the firmament, and thence with its full lustre and brightness on the face of the new-formed globe.

Hence it appears, that several days and nights preceded the sun's appearance in the heavens. How far the result of this reasoning may illustrate the Mosaic account, of the sun being created, or becoming visible, on the fourth day of creation, is most humbly submitted to the consideration and candour of the learned world.

It is further to be observed, that as the separation of the chaos was owing to the union of similar particles, it seems to follow, that as the central parts of the earth were sooner at rest than the more superficial parts thereof, that the former would begin to consolidate before the latter, and therefore it appears repugnant to the laws of Nature, that the central part should consist of water only, and the more superficial part of a shell or crust, as some writers have imagined.

Having traced the operations of Nature in separating the chaotic mass into air, earth, and water, we have now to inquire into the formation of the primitive islands.

To investigate this matter, let us suppose, for the present, that during the separation of the chaos, the earth was perfectly free from the attractive influence of all other bodies: that nothing interfered with the uniform law of its own

gravitation. It will then follow, that as the chaos was an uniform pulp, the solids would equally subside from every part of its surface, and consequently become equally covered with water.

On the contrary, if the moon was coeval with the earth, its attractive power would greatly interfere with the uniform subsiding of the solids: for as the separation of the solids and fluids increased, so, in like manner, the tides would increase, and remove the solids about, from place to place, without any order or regularity.

Hence, the sea necessarily became unequally deep, and those inequalities daily increasing, in process of time dry land would appear, and divide the sea, which had universally covered the earth.

The primitive islands being thus raised, by the flux and reflux of the tides, as sand-banks are formed in the sea, we cannot suppose them to have been of any great extent or elevation, compared to the mountains and continents in the present state of the earth: therefore they can only be considered as so many protuberances gradually ascending from the deep: whence it appears, that craggy rocks and impending shores were not then in being; all was smooth, even, and uniform; stones, minerals, &c. only existed in their elementary principles.

The primitive islands being thus raised above the surface of the sea, in process of time, became firm, and fit for animal or vegetable life.

Having now considered the formation of the atmosphere, the sea and the land, I cannot pass over in silence the great analogy between

the Mosaic account of the creation and the result of physical reasonings, in so many essential points: for we find the same series of truths asserted in Scripture which are here deduced from the universal laws and operations of Nature.

From this obvious agreement of revelation with reason, may we not conclude, that they both flow from the same fountain, and therefore cannot operate in contradiction to each other? Consequently, by which ever means the same truths are brought to light, be it by *reason* or *revelation*, they will perfectly coincide, and that coincidence may be considered as a testimony of the truth of each.

The instances we find recorded of volcanos, and their effects, leave no room to doubt the *existence*, *force*, and *immensity* of subterraneous fires; not only under the bottom of the ocean, but likewise under mountains, continents, &c. in all parts of the world.

But from what principles they were generated, at what distance of time from the creation of the world, or whether nearer to its centre or to its surface, is perhaps not ascertainable, whilst the phenomena of fire remain in so much obscurity: for, according to the celebrated chymist M. Macquer, “an accurate distinction has not yet been made between the phenomena of fire actually existing as a principle in the composition of bodies, and those which it exhibits when existing separately in its natural state: nor have proper and distinct appellations been assigned to it under those different circumstances:” therefore, neither the *time*, the *place*, nor the *mode*, in which subterraneous

neous fire was generated, can be truly ascertained.

However, this we know most assuredly, that a certain degree of moisture and dryness are productive of fire in the vegetable and mineral kingdoms; and likewise, that those fires are generated from the first increment of heat, and gradually increase to their full maturity. Therefore, if we were allowed to reason from the analogy one part of nature bears to another, we should conclude, that subterraneous fire was generated from the same elementary principles, and also gradually increased to its full maturity.

Having premised these matters, let us return to the chaotic state of the earth, and endeavour to trace the progressive operations of subterraneous fire, from its first increment of heat, and mark its effects on the incumbent *strata*.

1. If a certain degree of moisture and dryness were equally as necessary to the production of fire in the bowels of the earth as in the vegetable and mineral kingdoms, it seems to follow, that those parts of the globe which first began to consolidate, were also the first which began to generate fire: therefore as the central parts began to consolidate sooner than the more superficial parts, there is some probability that they were the first ignited.

2. It has also been observed, that as the earth began to consolidate by the union of similar particles, an universal sameness prevailed either in the same *stratum*, or in the central part of the earth: whence it appears, that subterraneous fire was generated universally in the same point of time,

either in the same *stratum* or in the central part of the earth, and gradually increased to its full maturity.

3. All bodies expand with heat, and the force or power of that law is unlimited: therefore, as subterraneous fire increased, its expansive force would gradually increase until it became equal to the incumbent weight. Gravity and expansion being then equal, and the latter continuing to increase, became superior to the former, and distended the incumbent *strata*, as a bladder forcibly blown.

4. Now if this fire was surrounded by a shell, or crust of equal thickness, and of equal density, its incumbent weight must have been equal: on the contrary, if the surrounding shell or crust were unequally thick, or unequally dense, its incumbent weight must have been unequal.

5. Hence it appears, that as the primitive islands were uniform protuberances gradually ascending from the deep, the incumbent weight must have been unequal; for as the specific gravity of stone, sand, or mud, is greater than that of water, the incumbent weight of the former must have been greater than that of the latter; consequently the bottom of the sea would ascend by the expansive force of the subterraneous fire sooner than the islands, which would therefore become more or less deluged, as the bottom of the sea was more or less elevated; and this effect must have been more or less universal, as the fire prevailed more or less universally, either in the same *stratum*, or in the central part of the earth. Therefore, since it appears, that subterraneous

on fire operated universally in the same *stratum*, with the same degree of force, it appears much more probable, that the deluge prevailed universally over the earth, than partially; and more especially when we consider the elevation of the antediluvian hills. But more of this hereafter.

But the tragical scene endeth not with an universal flood, and the destruction of terrestrial animals: for the expansive force of subterraneous fire, still increasing, became superior to the incumbent weight and cohesion of the *strata*, which were then burst, and opened a communication between the two oceans of melted matter and water.

The two elements coming thus into contact, the *latter* would be instantaneously converted into steam, and produce an explosion infinitely beyond all human conception; for it is well known, that the expansive force of water thus converted into steam exceeds that of gunpowder in the proportion of fourteen thousand to five hundred.

The terraqueous globe being thus burst into millions of fragments, and from a cause apparently seated nearer to its center than its surface, must certainly be thrown into strange heaps of ruins: for the fragments of the *strata* thus blown up, could not possibly fall together again into their primitive order and regularity: therefore an infinite number of subterraneous caverns must have been formed, probably many miles, or many hundreds of miles below the bottom of the antediluvian sea.

Now it is easy to conceive, when

a body of such an immense magnitude as the earth was thus reduced to an heap of ruins, that its incumbent water would immediately descend into the caverns and interstices thereof; and by approaching so much nearer towards the center, than in its antediluvian state, much of the terrestrial surface would be left naked and exposed, with all its horrid gulphs, craggy rocks, mountains, and other disorderly appearances.

Thus the primitive state of the Earth seems to have been totally metamorphosed by the first convulsion of Nature, at the time of the deluge; its *strata* broken, and thrown into every possible degree of confusion and disorder. Thus, those mighty eminences, the Alps, the Andes, the Pyrenean mountains, &c. were brought from beneath the great deep—the sea retired from those vast tracts of land, the continents—became fathomless; environed with craggy rocks, cliffs, and impending shores; and its bottom spread over with mountains and vallies like the land.

It is further to be observed of the horrid effects of this convulsion—that as the primitive islands were more ponderous and less elevated than the bottom of the sea, the former would more instantaneously subside into the ocean of melted matter, than the latter: therefore, in all probability, they became the bottom of the postdiluvian sea: and the bottom of the antediluvian sea being more elevated, was converted into the postdiluvian mountains, continents, &c. This conjecture is remarkably confirmed by the vast number of fossil shells, and other marine exuvia, found imbedded

ded near the tops of mountains, and the interior parts of continents, far remote from the sea, in all parts of the world hitherto explored.

The above phenomena have generally been ascribed to the effects of an universal flood; but we presume such conclusions were too hastily drawn: for it manifestly appears, upon a more strict examination of the various circumstances accompanying these marine bodies; that they were actually generated, *lived*, and *died*, in the very beds wherein they are found; and that those beds were originally the bottom of the ocean, though now elevated several miles above its level. Thus we find a further agreement between natural phenomena and the laws of Nature.

Hence it appears, that mountains and continents were not primary productions of Nature; but of a very distant period of time from the creation of the world.

It may, perhaps, be objected, that many of the above fossil bodies are natives of very distant regions of the earth, and could not have existed in climates wherein they are found, according to the present constitution of Nature.

To avoid prolixity, in the investigation of the deluge, &c. many interesting phenomena respecting earthquakes have been omitted: we shall, therefore, take this opportunity of introducing some of them, before we proceed to shew the improbability of a second universal flood.

1. Previous to an eruption of Vesuvius, the sea retires from its adjacent shores, and leaves its bottom dry, till the mountain is burst

open, when the water returns to its former boundary.

2. Before volcanoes burst open the bottom of the sea, the water rises in those places, considerably above its former level, runs in mountainous waves towards the less elevated parts, and deluges distant shores.

3. The earth is frequently burst open many miles in length, and discharges such vast quantities of water as to deluge the adjacent countries, of which we have had several instances, both in Europe and South America. In the year 1631, several towns were destroyed by an eruption of boiling water from Vesuvius; and in the year 1755, an immense torrent of boiling water flowed from Ætna, a mile and a quarter broad, down to its base. See Sir Wm. Hamilton's *Observations on Vesuvius and Ætna*, p. 81.

4. Eruptions are generally accompanied with thunder and lightning, and succeeded by incessant rains.

5. On the 1st of November 1755, the memorable *shock* of the earthquake at Lisbon, not only the sea, but lakes and ponds were violently agitated all over Europe. See *Philos. Trans.* vol. 79.

Most of these phenomena testify the immense force of steam generated by melted matter and water, in the bowels of the earth; for, in the first instance, Mount Vesuvius and its adjacent shores being more elevated by the steams, than the bottom of the distant sea; the water retreats from the shores towards the less elevated parts, and leaves its bottom dry. When the steams find vent, by the eruption, the

the mountain subsides to its former level, and the water returns to the shore.

The second instance shews, that the bottom of the sea is more elevated than the land; therefore the water retires, in mountainous waves, towards the less elevated parts, and overflows the coast.

The third is not only a corroborating instance, to shew the expansive force of steam; but likewise coincides with the Mosaic description of the deluge, "*the fountains of the great deep were broken up.*"

The fourth seems to have some analogy to that dreadful event.

The fifth phenomena seems to arise from the same cause. When the *strata* incumbent on the melted matter are elevated by the force of steam; the impending roof is apparently separated from the liquid mass; and this separation may be laterally extended to the distance of many miles from the original source of the steam, according to its quantity, and degree of its expansive force.

Now if these conjectures are true, the consequences thence arising are manifest. The *strata* immediately over the steam first generated being more elevated than those in the act of separation, the horizontal position of the earth's surface must consequently be altered, so as to produce an undulation of the water in lakes, ponds, &c. as in vessels suddenly elevated on one side more than on the other; and thus continue in motion, alternately overflowing the opposite banks, until the *momentum* acquired by the first impulse is gradually overcome.

That steam is the principal agent whence these phenomena arise, I presume will be readily granted by those who have carefully attended to the Rev. Mr. Michell's observations on the cause of earthquakes. Now, as one of the properties of steam is condensation by a small degree of cold, the same degree of expansive force can only exist during the same degree of heat: therefore the incumbent weight cannot become elevated to any greater distance than subterraneous fire is continued. This being granted, it seems to follow, that as the waters were thus agitated on the 1st of November 1755, through an extent of country not less than 3000 miles, there must have been one continued uninterrupted mass of melted matter of the same extent at least. And this idea seems to be corroborated by those vast explosions which were heard in some of the Derbyshire mines, about ten o'clock in the morning so fatal to Lisbon.

The above examples serve to illustrate the powerful and extensive effects of steam, produced by melted matter and water: truths well known to founders, particularly to those conversant in casting gold, silver, copper, brass, and iron. "About sixty years ago, a melancholy accident happened from the casting of brass cannon, at Windmill-Hill, Moorfields, where many spectators were assembled to see the metal run into the moulds. The heat of the metal of the first gun drove so much damp into the mould of the second, which was near it, that as soon as the metal was let into it, it blew up with the greatest

"greatest violence, tearing up the
"ground some feet deep, breaking
"down the furnace, untilling the
"house, killing many people on
"the spot with the streams of
"melted metal," &c. See Cra-
"mer's Art of Assaying Metals.
English translation, p. 323.

The inflammable vapour or
damp, in mines, occasions vio-
lent explosions; but they are only
momentary, as the firing of gun-
powder. On the contrary, those
from volcanos frequently continue
many months, with great violence,
which plainly shews that those
streams must be continually gene-
rating from the above causes.

P. S. As the distention of the
strata, observed in the former part
of this chapter, may appear highly
improbable to some readers, I take
this opportunity of reciting the
Reverend Mr. Michell's observa-
tions on the elasticity and com-
pressibility of stone, &c. mention-
ed in his excellent Treatise on
Earthquakes, note, p. 34, as fol-
lows: "The compressibility and
"elasticity of the earth are qua-
"lities which do not shew them-
"selves in any great degree in
"common instances, and there-
"fore are not commonly attended
"to. On this account it is that
"few people are aware of the
"great extent of them, or the
"effects that may arise from
"them, where exceeding large
"quantities of matter are con-
"cerned, and where the com-
"pressive force is immensely great.
"The compressibility and elasti-
"city of the earth may be col-
"lected, in some measure, from
"the vibration of the walls of
"houses, occasioned by the pas-
"sing of carriages in the streets

"next to them. Another in-
"stance, to the same purpose,
"may be taken from the vibra-
"tion of steeples, occasioned by
"the ringing of bells, or by gusts
"of wind: not only spires are mo-
"ved, very considerably by this
"means, but even strong towers
"will sometimes be made to vi-
"brate several inches, without
"any disjoining of the mortar,
"or rubbing the stones against one
"another. Now, it is manifest
"that this could not happen
"without a considerable degree
"of compressibility and elasticity
"in the materials of which they
"are composed."

Now, if so short a length of
stone as that of a steeple, visibly
bends, by so small a degree of
force as the ringing of bells, or a
blast of wind; may we not con-
clude, that the *strata*, in the pri-
mitive state of the earth, might
become considerably distended, by
an unlimited force, and therefore
occasion an universal deluge, ac-
cording to the preceding conclu-
sion. Since it appears, that if a
globe 80 inches diameter only,
suffered a degree of expansion e-
qual to the thickness of a human
hair; the same degree of heat, by
analogy, would have raised the
bottom of the ocean one-fourth
of a mile; which is above four
times higher than the primitive
islands were supposed to have been
elevated above the surface of the
sea.

*An Account of an Infant Musician,
by Dr. Burney, F.R.S.*

[From the Philosophical Transactions.]

THAT reason begins to dawn,
and reflexion to operate, in
some

some children much sooner than in others, must be known to every one who has had an opportunity of comparing the faculties of one child with those of another. It has, however, seldom been found, that the senses, by which intelligence is communicated to the mind, advance with even pace towards perfection. The eye and the ear, for instance, which seem to afford reason its principal supplies, mature at different periods, in proportion to exercise and experience; and not only arrive at different degrees of perfection during the stages of infancy, but have different limits at every period of human life. An eye or ear that only serves the common purposes of existence is intitled to no praise; and it is only by extraordinary proofs of quickness and discrimination in the use of these senses, that an early tendency to the art of painting or music is discovered.

Many children, indeed, seem to recognize different forms, persons, sounds, and tones of voice, in very early infancy, who never afterwards endeavour to imitate forms by delineation, or sounds by vocal inflexions.

As drawing or design may be called a refinement of the sense of sight, and practical music of that of hearing; and as a perfection in these arts at every period of life, from the difficulty of its attainment, and the delight it affords to the admirers and judges of both, is treated with respect, a premature disposition to either usually excites the same kind of wonder as a phenomenon or prodigy.

But as persons consummate in these arts, and who are acquainted with the usual difficulties which impede the rapid progress of common students, can only judge of the miraculous parts of a child's knowledge or performance, it will be necessary, before I speak of the talents peculiar to the child who is the subject of the present inquiry, to distinguish, as far as experience and observation shall enable me, between a common and supernatural disposition, during infancy, towards the art of music.

In general a child is not thought capable of profiting from the instructions of a music-master till five or six years old, though many have discovered an ear capable of being pleased with musical tones, and a voice that could imitate them, much sooner. The lullaby of a nurse during the first months of a child's existence has been found to subdue peevishness, and, perhaps, divert attention from pain; and in the second year it has often happened, that a child has not only been more diverted with one tune or series of sounds than another, but has had sufficient power over the organs of voice to imitate the inflexions by which it is formed; and these early proofs of what is commonly called musical genius would doubtless be more frequently discovered if experiments were made, or the mothers or nurses were musically curious. However, spontaneous efforts at forming a tune, or producing harmony upon an instrument so early, have never come to my knowledge.

The arts being governed by laws built on such productions and effects as the most polished part of mankind

mankind have long agreed to call excellent, can make but small approaches towards perfection in a state of nature, however favourable may be the disposition of those who are supposed to be gifted, with an uncommon tendency towards their cultivation. Nature never built a palace, painted a picture, or made a tune: these are all works of art. And with respect to architecture and music, there are no models in nature which can encourage imitation: and though there is a wild kind of music among savages, where passion vents itself in lengthened tones different from those of speech, yet these rude effusions can afford no pleasure to a cultivated ear, nor would be honoured in Europe with any better title than the howlings of animals of an inferior order to mankind.

All therefore that is really admirable in early attempts at music is the power of imitation; for elegant melody and good harmony can only be such as far as they correspond with or surpass their models: and as melody consists in the happy arrangement of single sounds, and harmony in the artificial combination and simultaneous use of them, an untaught musician becomes the inventor of both; and those who are at all acquainted with the infancy of such melody and harmony as constitute modern music, can alone form an idea of the rude state of both when an individual discovers them by the slow process of experiment.

Every art when first discovered seems to resemble a rough and shapeless mass of marble just hewn out of a quarry, which requires the united and successive endeavours of many labourers to form

and polish. The zeal and activity of a single workman can do but little towards its completion; and in music the undirected efforts of an infant must be still more circumscribed: for, without the aid of reason and perseverance he can only depend on memory and a premature delicacy and acuteness of ear for his guides; and in these particulars the child of whom I am going to speak is truly wonderful.

WILLIAM CROTCH was born at Norwich, July 5, 1775. His father, by trade a carpenter, having a passion for music, of which however he had no knowledge, undertook to build an organ, on which, as soon as it would speak, he learned to play two or three common tunes, such as *God save great George our king*; *Let ambition fire thy mind*; and *The Easter Hymn*; with which, and such chords as were pleasing to his ear, he used to try the perfection of his instrument.

I have been favoured with several particulars concerning his son's first attention to music from Robert Partridge, Esquire, a gentleman of rank in the Corporation of Norwich, who, at my request, has been so obliging as to ascertain many curious facts, the truth of which, had they rested merely on the authority of the child's father or mother, might have been suspected; and transactions out of the common course of nature cannot be too scrupulously or minutely proved.

My correspondent, of whose intelligence and veracity I have the highest opinion, tells me, that I may rest assured of the authenticity of such circumstances as he relates from the information of the

the child's father, who is an ingenious mechanic, of good reputation, whom he knows very well, and frequently employs, as these circumstances are confirmed by the testimony of many who were witnesses of the child's early performance; and he adds, that he has himself seen and heard most of the very extraordinary efforts of his genius.

About Christmas 1776, when the child was only a year and a half old, he discovered a great inclination for music, by leaving even his food to attend to it when the organ was playing: and about Midsummer 1777, he would touch the key-note of his particular favourite tunes, in order to persuade his father to play them. Soon after this, as he was unable to name these tunes, he would play the two or three first notes of them when he thought the key-note did not sufficiently explain which he wished to have played.

But, according to his mother, it seems to have been in consequence of his having heard the superior performance of Mrs. Lulman, a musical lady, who came to try his father's organ, and who not only played on it, but sung to her own accompaniment, that he first attempted to play a tune himself: for, the same evening, after her departure, the child cried, and was so peevish that his mother was wholly unable to appease him. At length, passing through the dining-room, he screamed and struggled violently to go to the organ, in which, when he was indulged, he eagerly beat down the keys with his little fists, as other children usually do after finding themselves able to produce a noise,

which pleases them more than the artificial performance of real melody or harmony by others.

The next day, however, being left, while his mother went out, in the dining-room with his brother, a youth of about fourteen years old, he would not let him rest till he blew the bellows of the organ, while he sat on his knee and beat down the keys, at first promiscuously; but presently, with one hand, he played enough of *God save great George our King* to awaken the curiosity of his father, who being in a garret, which was his work-shop, hastened down stairs to inform himself who was playing this tune on the organ. When he found it was the child, he could hardly believe what he heard and saw. At this time he was exactly two years and three weeks old, as appears by a copy I have obtained of the register in the parish of St. George's Colgate, Norwich, signed by the reverend Mr. Tapps, Minister. Nor can the age of this child be supposed to exceed this account by those who have seen him, as he has not only all the appearance, but the manners, of an infant, and can no more be prevailed on to play by persuasion than a bird to sing.

It is easy to account for *God save great George our King* being the first tune he attempted to play, as it was not only that which his father often performed, but had been most frequently administered to him as a narcotic by his mother, during the first year of his life. It had likewise been more magnificently played than he was accustomed to hear by Mrs. Lulman, the afternoon before he became a practical musician himself;

self; and, previous to this event, he used to teize his father to play this tune on his organ, and was very clamorous when he did not carry his point.

When his mother returned, the father, with a look which at once implied joy, wonder, and mystery, desired her to go up stairs with him, as he had something curious to shew her. She obeyed, imagining that some acquaintance or friend was arrived, or that some interesting event had happened during her absence; but was as much surprized as the father on hearing the child play the first part of *God save great George our King*. The next day he made himself master of the treble of the second part; and the day after he attempted the base, which he performed nearly correct in every particular, except the note immediately before the close, which, being an octave below the preceding sound, was out of the reach of his little hand.

In the beginning of November 1777, he played both the treble and base of *Let ambition fire thy mind*, an old tune which is, perhaps, now better known by the words to which it is sung in Love in a Village, *Hope, thou nurse of young desire*.

Upon the parents relating this extraordinary circumstance to some of their neighbours, they laughed at it; and, regarding it as the effect of partial fondness for their child, advised them by no means to mention it, as such a marvellous account would only expose them to ridicule. However, a few days after, Mr. Crotch being ill, and unable to go out to work, Mr. Paul, a mallet-weaver by whom

he was employed, passing accidentally by the door, and hearing the organ, fancied he had been deceived, and that Crotch had stayed at home in order to divert himself on his favourite instrument; fully prepossessed with this idea, he entered the house, and, suddenly opening the dining-room door, saw the child playing on the organ while his brother was blowing the bellows. Mr. Paul thought the performance so extraordinary, that he immediately brought two or three of the neighbours to hear it, who propagating the news, a crowd of near a hundred people came the next day to hear the young performer, and, on the following days, a still greater number flocked to the house from all quarters of the city; till, at length, the child's parents were forced to limit his exhibition to certain days and hours, in order to lessen his fatigue, and exempt themselves from the inconvenience of constant attendance on the curious multitude.

This account agrees in most particulars with a letter I received from Norwich, and of which the following is an extract.

“ There is now in this city a
“ musical prodigy, which en-
“ gages the conversation and ex-
“ cites the wonder of every body.
“ A boy, son to a carpenter, of
“ only two years and three quar-
“ ters old, from hearing his fa-
“ ther play upon an organ which
“ he is making, has discovered
“ such musical powers as are
“ scarcely credible. He plays a
“ variety of tunes, and has from
“ memory repeated fragments of
“ several voluntaries which he
“ heard Mr. Garland, the orga-
“ nist,

"nift, play at the cathedral. He has likewise accompanied a person who played upon the flute, not only with a treble, but has formed a bafe of his own, which to common hearers seemed harmonious. If any person plays false, it throws him into a paffion directly; and though his little fingers can only reach a fixth, he often attempts to play chords. He does not seem a remarkable clever child in any other respect; but his whole soul is abforbed in music*. Numbers croud daily to hear him, and the musical people are all amazed†."

The child being but two years and eight months old when this letter was written, his performance must have appeared considerably more wonderful than at present: for as he seems to have received scarce any instructions, and to have pursued no regular course of study or practice since that time, it can hardly be imagined that he is much improved. However, experience must have informed him what series or combination of sounds was most offensive to his ear; but such is his impetuosity

that he never dwells long on any note or chord, and indeed his performance must originally have been as much under the guidance of the eye as the ear, for when his hand unfortunately falls upon wrong notes, the ear cannot judge till it is too late to correct the mistake. However, habit, and perhaps the delicacy and acuteness of another sense, that of feeling, now direct him to the keys which he presses down, as he hardly ever looks at them.

The first voluntary he heard with attention was performed at his father's house by Mr. Mully, a music-master; and as soon as he was gone, the child seeming to play on the organ in a wild and different manner from what his mother was accustomed to hear, she asked him what he was doing? And he replied, "I am playing the gentleman's fine thing." But she was unable to judge of the resemblance: however, when Mr. Mully returned a few days after, and was asked, whether the child had remembered any of the passages in his voluntary, he answered in the affirmative. This happened about the

* This opinion seems to have been too hastily formed; for, independent of his musical talent, he appears to me possessed of a general intelligence beyond his age: and he has discovered a genius and inclination for drawing, nearly as strong as for music; for whenever he is not at an instrument, he usually employs himself in sketching, with his left-hand, houses, churches, ships, or animals, in his rude and wild manner, with chalk on the floor, or upon whatever other plain surface he is allowed to scrawl. Painters may, perhaps, form some judgment of his music by his drawings.

† His father, who has lately been in London, and with whom I have conversed since this account was drawn up, all the particulars of which he has confirmed, told me, that when he first carried the child to the cathedral he used to cry the instant he heard the loud organ, which, being so much more powerful than that to which he had been accustomed at home, he was some time before he could bear without discovering pain, occasioned, perhaps, by the extreme delicacy of his ear, and irritability of his nerves.

middle of November 1777, when he was only two years and four months old, and for a considerable time after he would play nothing else but these passages.

A musical gentleman of Norwich informed Mr. Partridge, that, at this time, such was the rapid progress he had made in judging of the agreement of sounds, that he played the Easter-Hymn with full harmony; and in the last two or three bars of *Hallelujah*, where the same sound is sustained, he played chords with both hands, by which the parts were multiplied to six, which he had great difficulty in reaching on account of the shortness of his fingers. The same gentleman observed, that in making a base to tunes which he had recently caught by his ear, whenever the harmony displeased him, he would continue the treble note till he had formed a better accompaniment.

From this period his memory was very accurate in retaining any tune that pleased him: and being present at a concert where a band of gentlemen-performers played the overture in *Rodelinda*, he was so delighted with the minuet, that the next morning he hummed part of it in bed; and by noon, without any further assistance, played the whole on the organ.

His chief delight at present is in playing voluntaries, which certainly would not be called music if performed by one of riper years, being deficient in harmony and measure; but they manifest such a discernment and selection of notes as is truly wonderful, and which, if spontaneous, would surprize at any age. But though he executes fragments of com-

VOL. XXII.

mon tunes in very good time, yet no adherence to any particular measure is discoverable in his voluntaries; nor have I ever observed in any of them that he tried to play in triple time. If he discovers a partiality for any particular measure, it is for dactyls of one long and two short notes, which constitute that species of common time in which many street-tunes are composed, particularly the first part of the Belleisle March, which, perhaps, may first have suggested this measure to him, and impressed it in his memory. And his ear, though exquisitely formed for discriminating sounds, is as yet only captivated by vulgar and common melody, and is satisfied with very imperfect harmony. I examined his countenance when he first heard the voice of Signor Pacchierotti, the principal singer of the Opera, but did not find that he seemed sensible of the superior taste and refinement of that exquisite performer; however, he called out very soon after the air was begun, "He is singing in 3."

And this is one of the astonishing properties of his ear, that he can distinguish at a great distance from any instrument, and out of sight of the keys, any note that is struck, whether A, B, C, &c. In this I have repeatedly tried him, and never found him mistaken even in the half notes; a circumstance the more extraordinary, as many practitioners and good performers are unable to distinguish by the ear at the Opera or elsewhere in what key any air or piece of music is executed.

But this child was able to find any note that was struck in his hearing,

G

hearing, when out of sight of the keys, at two years and a half old, even before he knew the letters of the alphabet: a circumstance so extraordinary, that I was very curious to know when, and in what manner, this faculty first discovered itself; and his father says, that in the middle of January 1778, while he was playing the organ, a particular note hung, or, to speak the language of organ builders, ciphered, by which the tone was continued without the pressure of the finger: and though neither himself nor his elder son could find out what note it was, the child, who was then amusing himself with drawing on the floor, left that employment, and going to the organ immediately laid his hand on the note that ciphered*. Mr. Crotch thinking this the effect of chance, the next day purposely caused several notes to cipher, one after the other, all which he instantly discovered: and at last he weakened the springs of two keys at once, which, by preventing the valves of the wind-chest from closing, occasioned a double cipher, both of which he directly found out. Any child, indeed, that is not an idiot, who knows black from white, long from short, and can pronounce the letters of the alphabet by which musical notes are called, may be taught the names of the keys of the harpsi-

chord in five minutes†; but, in general, five years would not be sufficient, at any age, to impress the mind of a musical student with an infallible reminiscence of the tones produced by these keys, when not allowed to look at them.

Another wonderful part of his pre-maturity was the being able at two years and four months old to transpose into the most extraneous and difficult keys whatever he played; and now, in his extemporaneous flights, he modulates into all keys with equal facility.

The last qualification which I shall point out as extraordinary in this infant musician, is the being able to play an extemporary base to easy melodies when performed by another person upon the same instrument. But these bases must not be imagined correct, according to the rules of counter-point, any more than his voluntaries. He generally gives, indeed, the key-note to passages formed from its common chord and its inversions, and is quick at discovering when the fifth of the key will serve as a base. At other times he makes the third of the key serve as an accompaniment to melodies formed from the harmony of the chord to the key-note; and if simple passages are played slow, in a regular progression ascending or descending, he soon finds out that thirds or tenths, below the treble,

* This circumstance proves that he exercised his eye in drawing, after his manner, before he was two years and a half old.

† By remarking that the short keys, which serve for flats and sharps, are divided into parcels of threes and twos, and that the long key between every two short keys is always called D, it is extremely easy from that note to discover the situation and names of the rest, according to the order of the first seven letters of the alphabet.

NATURAL HISTORY. 83

will serve his purpose in furnishing an agreeable accompaniment.

However, in this kind of extemporary base, if the same passages are not frequently repeated, the changes of modulation must be few and slow, or correctness cannot be expected even from a professor. The child is always as ready at finding a treble to a base as a base to a treble, if played in slow notes, even in chromatic pas-

sages; that is, if, after the chord of c natural is struck, c be made sharp, he soon finds out that a makes a good base to it; and on the contrary, if, after the chord of d with a sharp third, d is made natural, and a is changed into x, he instantly gives c for the base. Indeed he continued to accompany me with great readiness in the following chromatic modulation, ascending and descending:



I made more experiments of this kind, but to relate them would render my account too technical to all but composers, or such as have long studied harmony.

When he declares himself tired of playing on an instrument, and his musical faculties seem wholly blunted, he can be provoked to attention, even though engaged in any new amusement, by a wrong note being struck in the melody of any well-known tune; and if he stands by the instrument when such a note is designedly struck, he will instantly put down the right, in whatever key the air is playing.

At present, all his own melodies are imitations of common and easy passages, and he seems insensible to others; however, the only method by which such an infant can as yet be taught any thing better seems by example. If he were to hear only good melody and harmony, he would doubtless try to produce something similar; but,

at present, he plays nothing correctly, and his voluntaries are little less wild than the native notes of a lark or a black-bird. Nor does he, as yet, seem a subject for instruction: for till his reason is sufficiently matured to comprehend and retain the precepts of a master, and something like a wish for information appears, by a ready and willing obedience to his injunctions, the trammels of rule would but disgust, and, if forced upon him, destroy the miraculous parts of his self-taught performance.

Mr. Baillet published in the last century a book, *Sur les Enfants célèbres par leurs études*; and yet, notwithstanding the title of his work, he speaks not of infants but adolescents, for the youngest wonder he celebrates in literature is at least seven years old; an age at which several students in music under my own eye have been able to perform difficult compositions on the harpsichord, with great neatness and precision. However,

this has never been accomplished without instructions and laborious practice, not always voluntary.

Musical prodigies of this kind are not infrequent: there have been several in my own memory on the harpsichord. About thirty years ago I heard Palschau, a German boy of nine or ten years old, then in London, perform with great accuracy many of the most difficult compositions that have ever been written for keyed instruments, particularly some lessons and double fugues by Sebastian Bach, the father of the present eminent professors of that name, which, at that time, there were very few masters in Europe able to execute, as they contained difficulties of a particular kind; such as rapid divisions for each hand in a series of thirds, and in sixths, ascending and descending, besides those of full harmony and contrivance in nearly as many parts as fingers, such as abound in the lessons and organ fugues of Handel.

Miss Frederica, now Mrs. Wynne, a little after this time, was remarkable for executing, at six years old, a great number of lessons by Scarlatti, Paradies, and others, with the utmost precision.

But the two sons of the Reverend Mr. Westley seem to have discovered, during early infancy, very uncommon faculties for the practice of music. Charles, the eldest, at two years and three quarters old, surprized his father by playing a tune on the harpsichord readily, and in just time: soon after he played several, what-

ever his mother sung, or whatever he heard in the street.

Samuel, the youngest, though he was three years old before he aimed at a tune, yet by constantly hearing his brother practise, and being accustomed to good music and masterly execution, before he was six years old arrived at such knowledge in music, that his extemporary performance on keyed instruments, like Mozart's, was so masterly in point of invention, modulation, and accuracy of execution, as to surpass, in many particulars, the attainments of most professors at any period of their lives.

Indeed Mozart, when little more than four years old, is said to have been "not only capable of executing lessons on his favourite instrument, the harpsichord, but to have composed some in an easy style and taste, which were much approved*:" and Samuel Westley before he could write was a composer, and mentally set the airs of several Oratorios, which he retained in memory till he was eight years old, and then wrote them down.

Here the difference of education appears: little Crotch, left to nature, has not only been without instructions but good models of imitation; while Mozart and Samuel Westley, on the contrary, may be said to have been nursed in good music: for as the latter had his brother's excellent performance to stimulate attention, and feed his ear with harmony; the German infant, living in the

* See Phil. Transf. vol. LX. for the year 1770; an account of a very remarkable young musician, by the honourable Daines Barrington, F. R. S. who soon intends to favour the public with an account of the two Westleys.

house of his father, an eminent professor, and an elder sister, a neat player on the harpsichord, and constantly practising compositions of the first class for that instrument, had every advantage of situation and culture joined to the profusion of natural endowments.

Of Mozart's infant attempts at music I was unable to discover the traces from the conversation of his father; who, though an intelligent man, whose education and knowledge of the world did not seem confined to music, confessed himself unable to describe the progressive improvements of his son during the first stages of infancy. However, at eight years of age I was frequently convinced of his great knowledge in composition by his writings; and that his invention, taste, modulation, and execution in extemporary playing, were such as few professors are possessed of at forty years of age.

Into what the present prodigy may mature is not easy to predict; we more frequently hear of trees in blossom during the winter months than of fruits in consequence of such unseasonable appearances. However, to keep pace with the expectations to which such premature talents give birth is hardly allowed to humanity. It is the wish of some, that the uncommon faculties with which this child is endowed might be suffered to expand by their own efforts, neither restrained by rules, nor guided by examples; that, at length, the world might be furnished with a species of natural music, superior to all the surprising productions of art to which

pedantry, affectation, or a powerful hand, have given birth. But, alas! such a wish must have been formed without reflection; for music having its classics as well as poetry and other arts, what could he compose or play upon different principles that would not offend the ears of those who have regarded those classics as legislators, and whose souls have been wrapped in elysium by their strains? He might as well, if secluded from all intercourse with men, be expected to invent a better language than the present English, the work of millions, during many centuries, as a new music more grateful to the ears of a civilized people than that with which all Europe is now delighted.

An individual may doubtless advance nearer perfection in every art by the assistance of thousands, than by the mere efforts of his own labour and genius.

Another wish has been formed, that the effects of different genera and divisions of the musical scale might be tried upon this little musician; but the success of such an experiment is not difficult to divine. An uncultivated ear would as naturally like the most plain and common music, as a young mind would best comprehend the most simple and evident propositions: and, as yet, the attention of Crotch cannot be excited by any musical refinements or elaborate contrivance.

It has likewise been imagined by some, that every child might be taught music in the cradle, if the experiment were made; but to these it may with truth be said, that such an experiment is *daily* made on every child, by every mother

mother and nurse, that is able to form a tune, on every part of the globe. In Italy the *ninne nonne*, or lullabies, are fragments of elegant melodies, become common and popular by frequent hearing; and these, though they help to form the national taste, are not found to stimulate the attention of Italian children to melody, or to accelerate the display of musical talents at a more early period than elsewhere.

Premature powers in music have as often surprized by suddenly becoming stationary as by advancing rapidly to the summit of excellence. Sometimes, perhaps, nature is exhausted or enfeebled by these early efforts; but when that is not the case, the energy and vigour of her operations are seldom properly seconded, being either impeded and checked by early self-complacency, or an injudicious course of study; and sometimes, perhaps, genius is kept from expansion by ill-chosen models; exclusive admiration, want of counsel, or access to the most excellent compositions and performers in the class for which nature has fitted those on whom it is bestowed.

On the Growth of Cedars in England; in a Letter to Sir John Cullum.

AMONG the slighter devastations occasioned by the last new-year's hurricane, I cannot, as an admirer of natural productions, but lament with particular regret the destruction of perhaps the finest cedar in England. This superb

tree, *una, nemus*, stood close on the north side of Hendon Place, the elegant residence of Mr. Aislaby, eight miles from London. From the gardener's information, and my own admeasurements, some of its dimensions *had been* these. The height 70 feet; the diameter of the horizontal extent of the branches, upon an average, 100; the circumference of the trunk, 7 feet above the ground, 16; 12 feet above the ground, 20. At this latter height it began to branch; and its limbs, about 10 in number, were from 6 to 12 feet in circumference. Its roots had not spread wide nor deep; and the soil that had suited it so well, is a strong clay, upon rather an elevated situation. Tradition ascribes the planting of this tree to Queen Elizabeth herself; yet the vigour of its trunk, and the full verdure of its branches (besides a reason which I shall presently adduce), make me doubt, whether we are to allow it so great an age. However that be, its appearance shews that it had not arrived at maturity, and might have stood, perhaps have thriven, for centuries to come. The gardener made 50 l. of the cones the year before last, but last year only 12 l.

The great size, and apparent increasing vigour of this tree, excited my curiosity to inquire into the age and size of some of its brethren; and to collect what particulars I could towards the English history of this noblest of our exotics.

The Rev. Mr. Lightfoot of Uxbridge, upon whose accuracy, as well as friendship, I can depend, has sent me the following dimensions

sions of one at Hillingdon, in his neighbourhood. The perpendicular height is 53 feet; the diameter of the horizontal extent of the branches from east to west, 96; from north to south, 89; the circumference of the trunk close to the ground, $15\frac{1}{2}$; $3\frac{1}{2}$ feet above the ground, $13\frac{1}{2}$; 7 feet above the ground, $12\frac{1}{2}$; 12 feet above the ground, 14 feet 8 inches; $13\frac{1}{2}$, just under the branches, 15 feet 8 inches. It has two principal branches, one of which is bifid $1\frac{1}{2}$ foot above its origin: before it divides, it measures in circumference 12 feet; after its division, one of its forks measures $8\frac{1}{2}$, the other 7 feet 10 inches. The other primary branch at its origin measures 10 feet; and, soon dividing, throws out two secondary ones, each $5\frac{1}{2}$. The proprietor of this tree says he can with much certainty determine its age to be 116 years.

The largest of those at Chelsea, measured last month, is in height 85 feet; the horizontal extent of its branches is about 80; the circumference of its trunk close to the ground $18\frac{1}{2}$; at 2 feet above the ground, 15; at 10 feet, 16; at about 1 yard higher it begins to branch. These trees, Mr. Miller says, were, as he was credibly informed, planted in 1683, about 3 feet high. The soil is a lean hungry sand mixed with gravel, and about two feet surface.

In the garden of the old palace at Enfield is a cedar of Libanus, of the following dimensions, taken by Mr. Thomas Liley, an ingenious school-master there, at the desire of my friend Mr. Gough, who

was so obliging as to communicate them to me:

	Feet.	Inches.
Height	45	9
Girt at top	3	7
Second girt	7	9
Third girt	10	
Fourth girt	14	6

Large arm, that branches out near the top, 3 feet 9 inches; several boughs, in girt 3 feet 5 inches; and the boughs extend from the body from 28 to 45 feet. The contents of the body, exclusive of the boughs, is about 103 cubical feet. This tree is known to have been planted by Dr. Uvedale, who kept a flourishing school in this house at the time of the great plague 1665, and was a great florist. Eight feet of the top were broken off by the high wind of 1703. Tradition says this tree was brought hither immediately from Mount Libanus in a port-manteau. The first lime-trees planted in England found their way over in the same conveyance.

Several other cedars of considerable size are scattered about in different parts of the kingdom.

I find not, with exactness, when, or by whom, the cedar was first introduced into England. Turner, one of our earliest herbarists, where he treats "of the pyne tre, and "other of that kynde," says nothing of it. Gerard, published by Johnson in 1636, mentions it not as growing here; and Parkinson, in his *Theatrum Botanicum*, 1640, speaking of the *Cedrus magna conifera Libani*, says, "The branches, *some say*,

* Harris's Kent, p. 92.

"all grow upright, but others, "strait out." Evelyn, whose discourse on forest-trees was delivered in the Royal Society in 1662, observing that cedars thrive in cold climates, adds, "Why then should they not thrive in Old England? I know not, save for want of industry and *tr. a.*"

Hitherto, I think, it is pretty plain the cedar was unknown among us: and it appears probable, that we are indebted to the last-mentioned gentleman for its introduction into England; for he informs us in the same paragraph from which I made the above quotation, that he had received cones and seeds from the few trees remaining on the mountains of Libanus.

Something better than twenty years afterwards, we find, among Mr. Ray's philosophical letters, the following curious one addressed to him from Sir Hans Sloane:

"London, March 7, 1684-5.

"I was the other day at Chelsea, and find that the artifices used by Mr. Watts have been very effectual for the preservation of his plants; inasmuch that this severe enough winter has scarcely killed any of his fine plants. One thing I wonder much, to see the *Cedrus montis Libani*, the inhabitant of a very different climate, should thrive so well, as without pot or green-house, to be able to propagate itself by layers this spring. Seeds sown last autumn, have as yet thriven well, and are like to hold out: the main artifice I used to them has been, to keep them from the winds, which seem to give a great ad-

ditional force to cold to destroy the tender plants."

This is the first notice that has occurred to me of the cultivation of the cedar among us. Perhaps the tree that propagated itself by layers in 1684, might be from the seed received by Mr. Evelyn; and the reputed age of that at Hillingdon agrees with the time of that importation; supposing that importation was made about the time of the delivery of the discourse on forest-trees: nor probably, notwithstanding tradition, is that at Hendon to be referred to a higher date. Why Sir Hans should wonder at the cedar thriving so well in the open air at Chelsea, I know not; for, though it be found in the warmer climates, it is known to be a native of the snowy mountains of Libanus, and consequently not likely to be destroyed by the inclemency of an English winter. But, I believe, we generally treat exotics, upon their first arrival among us, with more tenderness than they require. Perhaps the fear of losing them may be one reason; perhaps, too, they may be gradually habituated to endure a degree of cold, which at first would have proved fatal to them. Upon the first introduction of the tea-tree, it was either kept in our green-houses, or, if planted in the open ground, matted or otherwise sheltered in the winter: we now find such care unnecessary. I have had one at a degree N. of London, thrive and blossom for some years, in the open air, without the slightest protection, in the severest winter.

That this little memoir may not appear to terminate in mere curiosity, I think it warrants me in recom-

recommending the cultivation of the cedar for common use; as it is well known to be a very valuable material in the hand of the joiner and cabinet-maker. Mr. Miller observed their quick growth at Chelsea, in a poor gravelly soil: those at Hendon, Hillingdon, and Enfield, shew that they thrive as well in a very different one. Those planted by the old Duke of Argyle at Whitton have made the happiest progress; and I am assured that a room has been wainscoted with their timber.

If these slight notes should induce any better informed person to throw more light on this subject, it would afford entertainment to many, as well as to,

Hardwick House, Yours, &c.
Feb. 16, 1779. JOHN CULLUM.

An Account of the Vallais, and of the Goitres and Idiots of that Country. From Coxe's Letters from Switzerland.

I Am now writing to you from the little village of Trient in the Vallais, on my way to the glaciers of Savoy. From the mountain of the Furca, its eastern boundary, two vast ranges of Alps enclose the Vallais: the southern chain separates it from the Milanese, Piedmont, and part of Savoy; the northern divides it from the canton of Berne. These two chains, in their various windings, form several small vallies, through which a number of torrents rush into the Rhone, as it traverses the whole country from the Furca to St. Maurice. A country thus entirely enclosed within

high Alps, and consisting of plains; elevated valleys, and lofty mountains, must necessarily exhibit a great variety of situations, climates, and productions. Accordingly, the Vallais presents to the curious traveller a quick succession of prospects, as beautiful as they are diversified. Numberless vineyards, rich pasture-grounds covered with cattle, corn, flax, fruit-trees, and wild forests: and these occasionally bordered by naked rocks, whose summits are crowned with everlasting snow, and inaccessible glaciers. This strong and striking contrast between the pastoral and the sublime; the cultivated and the wild; cannot but affect the mind of an observer with the most pleasing emotions.

As to the productions of the Vallais; they must evidently vary in different parts, according to the great diversity of climates, by which this country is so peculiarly distinguished. It supplies more than sufficient wine and corn for the interior consumption; and indeed a considerable quantity of both are yearly exported; the soil in the midland and lower parts being exceedingly rich and fertile. In the plain, where the heat is collected and confined between the mountains, the harvest is so very forward, that it has already for some time been carried in: whereas, in the more elevated parts, barley is the only grain that can be cultivated with any success; and the crop is seldom cut before November. About Sion, the fig, the melon, and all the other fruits of Italy, ripen to perfection: in consequence of this singular variety of climates, I tasted in the same day (what is usually to be had

had only in gradual succession) strawberries, cherries, plumbs, pears, and grapes; each of them the *natural* growth of the country.

With respect to manufactures; there are none of any consequence: and indeed the general ignorance of the people is no less remarkable than their indolence; so that they may be considered, in regard to knowledge and improvements, as some centuries behind the Swifs, who are certainly a very enlightened nation. The peasants seldom endeavour to meliorate those lands where the soil is originally bad; nor to make the most of those, which are uncommonly fertile: having few wants, and being satisfied with the spontaneous gifts of nature, they enjoy her blessings without much considering in what manner to improve them.

The beauties and varieties of this country you will find amply and faithfully delineated in that elegant letter of the *Nouvelle Heloise*, where St. Preux relates his excursion into the upper Vallais. As to the truth of the description he gives, in the same letter, of the manners of the people, I can hardly be supposed to be a competent judge, from the little time I have passed among them. But, as far as I have had an opportunity to observe and inquire; the picture, although in some parts not entirely devoid of resemblance, is, upon the whole, considerably heightened.

Before I take leave of the Vallais, you will probably expect, that, according to my promise, I should send you some informations concerning the causes which are supposed to occasion, or to contri-

bute to render, goitrous persons and idiots, so remarkably common in many parts of this country. I have indeed made all possible researches in order to gain some satisfactory intelligence upon so curious a subject; but I have the mortification to add, that the very faint lights I have been able to obtain, have left me almost as much in the dark as I was before: you must rest contented therefore with mere conjectures.

I shall begin however with undoubted fact. The Vallaisans are not all equally subject to the above infirmities; but those chiefly who live in or near the lower parts of the Vallais, as about Sider, Sion, Martinac, &c. The people in general are a robust and hardy race, as well those who dwell in the places last mentioned, as those who inhabit the more mountainous parts of this country.

It is a common notion, that snow-water occasions goiters: but I have some reason to think the contrary. For, I have been at several places, where the inhabitants drink no other water than what they procure from those rivers and torrents, which descend from the glaciers; and yet are not subject to this malady: indeed I have been assured, though I will not venture to answer for the truth of the assertion, that snow-water, so far from being a cause, is esteemed even a preventive. The air of the mountains is also a strong preservative against them; and goiters have been known to diminish upon elevated situations; whereas, in the lower parts of the Vallais, if this excrescence once begins to shew itself, it always continues to

to increase *. Some districts are more particularly remarkable for this disorder than others: thus, in a little village, near Sion, almost all the inhabitants are goitrous.

From these facts it seems reasonable to conclude, that goiters are derived from certain local circumstances; and that several causes, both physical and moral, may jointly contribute to their production. Among the physical; bad water, and bad air, may, perhaps, be justly assigned, but chiefly the former; which, near the particular districts above mentioned, is stagnant, and loaded with particles of *tufa*. The torrents also, which are formed by the melting of the snows, dissolve this substance, or similar ones, in their passage: and probably this circumstance has given rise to the notion, that snow-water, simply in itself, occasions these goiters; but wherever it has that effect, it is strongly impregnated with certain stony particles. I was shewn several pools of these stagnant waters, which I should have supposed no human being to have been capable of drinking. Among the moral causes, which may be supposed to concur in occasioning these guttural protuberances, the inconceivable laziness and negligence of these people, may be mentioned. For, they rarely take the least precaution to guard against, or to remedy, the ill effects of their unwholesome water: indolently acquiescing in its consequences, they use no sort of means either to prevent or remove them.

The same causes, which seem to produce the goiters, probably operate in the case of idiots: for, wherever in this country the former abound, the latter are also in great numbers. Such indeed is the nice and inexplicable connexion between our bodies and our minds, that the one ever sympathises with the other: we see that the body suffers, whenever the mind is deeply affected by any strong impression of melancholy and distress; and, in return, that whenever the corporeal frame is impaired and shattered by long-pain and sickness, the understanding also is equally out of order. Hence it is by no means an ill-grounded conjecture, that in the case before us, the same causes which affect the body should also affect the mind; or, in other words, that the same waters, &c. which create obstructions, and goiters, should also occasion mental imbecility and disarrangement. But, in conjunction with causes of a physical nature, there is a moral one likewise to be taken into the account: for the children of the common people are totally neglected by their parents; and, with no more education than the meanest brutes, are, like those, suffered to wallow in the dirt, and to eat and drink whatever comes in their way.

I saw several idiots with goiters; but I do not mean to draw any certain conclusion from that circumstance. For, though in general they are the children of goitrous parents, and have frequently

* This difference, however, may be occasioned by the different quality of the water, as well as by the superior purity of the air.

those swellings themselves; yet the contrary often happens: and they are sometimes the off-pring even of healthy parents, whose other children are all properly organized. So that, it seems, the causes above mentioned operate more or less upon some constitutions than upon others; as indeed is observable in all epidemical disorders whatsoever*.

I was informed at Sion, that the number, both of goitrous persons, and of idiots, have considerably decreased within these few years; and two reasons were assigned: one is, the laudable care which the magistrates have taken to dry up the stagnant waters in the neighbourhood; and the other, the custom which now generally prevails of sending the children to the mountains; by which means they escape the bad effects of the unwholesome air and water.

It is to be presumed, that a people accustomed to see these excrescences daily, will not be at all shocked at their deformity; but I do not find, as some writers assert, that they consider them as beauties: I cannot believe that a Vallaisan poet would venture to address a copy of verses to his mistress in praise of her goiter. To judge by the accounts of some

travellers, one might suppose, that all these people, without exception, were gifted with the above appendage: whereas, in fact, as I have before remarked, the Vallaisans, in general, are a robust, hardy race of people; and all that with truth can be affirmed, is, that goitrous persons, and idiots, are more abundant here than perhaps in any other part of the globe.

It has been asserted also by some, that the people very much respect these idiots, and even consider them as blessings from Heaven; an assertion which is as strongly contradicted by others. I made many inquiries in order to get at the truth of this matter. Upon my questioning some gentlemen of this country, whom I met at the baths of Leuk, they treated the notion as absurd and false: but whether they spoke their real sentiments, or were unwilling to confirm what they thought might lower their countrymen in the opinion of a stranger, will admit perhaps of some doubt. For I have, since that time, repeatedly enquired among the lower sort, and am convinced, that the common people esteem them as blessings. They call them "Souls of God, without sin:" and there are many pa-

* I was told by a physician of the Vallais, that children are sometimes born with goiters; and I saw several, scarce ten years old, who had very large ones. These swellings, when they increase to a considerable magnitude, check respiration, and render those who have them exceedingly languid and indolent. During my expedition through the Vallais, I observed some of all proportions, from the size of a walnut to the bigness of a peck loaf.

The species of idiots I have mentioned above, and who are deemed by many authors as peculiar to the Vallais, are called *Cretins*. Among these I also observed a kind of sensible gradation: namely, from those who, being totally deaf and dumb, and incapable of helping themselves, give no proof of their existence, but the mere animal sensations; to others, who are a little more animated, and possess some faint dawnings of reason.

rents who prefer these idiot-children to those whose understandings are perfect; because, as they are incapable of intentional criminality, they consider them as more certain than the others of happiness in a future state. Nor is this opinion entirely without some good effect, as it disposes the parents to

pay the greater attention to those unhappy beings, who are incapable of taking care of themselves. These idiots are suffered to marry, as well among themselves as with others; and thus the breed is, in some measure, prevented from becoming extinct*.

* Since I wrote the above letter, I have met with an account of these *Cretins* in the "*Recherches Philosophiques sur les Americains.*" The ingenious author compares them with the *Blafards* of the isthmus of Darien; a species of beings who resemble the white negroes. He refers to a memoir written expressly upon these *Cretins*, by the Count of Mogiron, and read to the Royal Society of Lyons: I am sorry that I have not been able to procure this memoir; because, from the character given of it by the author of the *Recherches Philosophiques*, it must contain some very curious remarks. I shall here submit his account of the *Cretins*, as being, in many respects, more ample than mine; premising, at the same time, that it by no means appears these *Cretins* are universally *goiters*.

"On ne sauroit mieux comparer les *Blafards* quant à leurs facultés, à leur degeneration, et à leur état, qu'aux *Cretins* qu'on voit en assez grand nombre dans le Valais, et principalement à Sion capitale de ce pays: ils sont sourds, muets, presque insensibles aux coups, et portent des goîtres prodigieux qui leur descendent jusqu'à la ceinture: ils sont ni furieux ni malfaisants, quoiqu'absolument ineptes et incapables de penser; ils n'ont qu'une sorte d'attrait assez violent pour leurs besoins physiques, et s'abandonnent aux plaisirs de sens de toute espece sans y soupçonner aucune crime, aucune indécence. Les habitans du Valais regardent ces *Crétins* comme les anges tutélaires des familles, comme des saints; on ne les contrarie jamais, on les soigne avec assiduité, on n'oublie rien pour les amuser, et pour satisfaire leurs goûts et leurs appetits; les enfans n'osent les insulter, et les vieillards les respectent. Ils ont la peau très livide et naissent *Crétins*, c'est-à-dire aussi stupides, aussi simples qu'il est possible de l'être: les années n'apportent aucun changement à leur état d'abrutissement: ils y persistent jusqu'à la mort, et on ne connoît point de remède capable de les tirer de cet assoupissement de la raison, et de cette defaillance du corps et de l'esprit. Il y en a des deux sexes, et on les honore également, soit qu'ils soient hommes ou femmes. Le respect qu'on porte à ces personnes atteintes du *Cretinage*, est fondé sur leur innocence et leur foiblesse: ils ne sauroient pécher, parce qu'ils ne distinguent le vice de la vertu; ils ne sauroient nuire, parce qu'ils manquent de force, de vaillance, ou d'envie; et c'est justement le cas des *Blafards*, dont la stupidité est aussi grande que celle des *Crétins*."

In another part he says, "Mr. De Mougiron attribue les causes du *Cretinage* des Vallaisans à la malpropreté, à l'éducation, aux chaleurs excessives des vallées, aux eaux, et aux goîtres qui sont communs à tous les enfans de ce pays: mais il y existe probablement une autre cause spécifique, que l'on fera plus à portée de connoître quand on sera parvenu à obtenir la permission de disséquer un de ces *Crétins*."

See *Recherches Philosophiques sur les Americains, &c.* Par Mr. De P——, Quatrième Partie. Section I.

Account

Account of the Glaciers of Savoy, and of Mount Blanc. From the Journal.

UPON leaving Thonon, we went along some narrow valleys through forests of pine, by the side of the river of Thonon; and soon afterwards entered the valley of Ordon, which led us to the final village of that name: a little way from Thonon we entered the duchy of Savigny, which belongs to the King of Sardinia. Our road was very rugged, till we arrived at the vale of Chamouny; the great mountains and glaciers of Savoy rising majestically before us.

There are five glaciers, which extend almost to the plain of the vale of Chamouny, and are separated by wild forests, corn-fields, and rich meadows: so that immense tracts of ice are blended with the highest cultivation, and perpetually succeed to each other in the most singular and striking vicissitude. All these several val-

leys of ice, which lie chiefly in the hollows of the mountains, and are some leagues in length, unite together at the foot of Mount Blanc; the highest mountain in Europe, and probably of the ancient world.

According to the calculations of Mr. De Lac, (by whose improvement of the barometer, elevations are taken with a degree of accuracy before unattainable,) the height of this mountain above the level of the sea is 3331 French toises. Mr. De Saussure, professor of natural philosophy at Geneva, has made use of the above barometer in measuring the elevation of several very considerable mountains. This great improvement of the barometer marks a distinguished era in the history of natural philosophy; as, before it was rectified by that ingenious naturalist, Mr. De Lac, its uncertainty was so great, that there was no relying upon the measurements, which had been taken by that instrument*.

I am

* It was by this means that Mr. De Lac found the altitude of the glacier of Buet; and from thence he took geometrically the elevation of Mount Blanc above the Buet. The labours of this celebrated naturalist, and his rules for computing heights by the barometer, are to be found in his very valuable treatise, "*Sur les Modifications de l'Atmosphère.*" These rules are explained, and his tables reduced to English measure, by Dr. Maskelyne, R. A.; and still more fully by Dr. Horsley, secretary to the Royal Society: both these treatises are published in the Philosophical Transactions for the year 1774.

The accuracy of the barometrical measurements made by Mr. De Lac, was verified by Sir George Schuckborough, in a number of ingenious experiments towards ascertaining the elevation of some of the mountains of Savoy, a short time before I arrived at Geneva. He followed Mr. De Lac's method; took the heights of several mountains, reciprocally, by barometrical and geometrical observations; and he perceived that the former coincided almost exactly with the latter.

Having found the elevation of the summit of the *Mole*, a neighbouring mountain, above the surface of the lake of Geneva; he took from thence the geometrical altitude of Mount Blanc.

During the course of these experiments, he was enabled to correct some trifling

I am convinced, from the situation of Mont Blanc; from the heights of the mountains around it; from its superior elevation above them; and its being seen at a great distance from all sides; that it is higher than any mountain in Swisserland; which, beyond a doubt, is, next to Mont Blanc, the highest ground in Europe. That it is more elevated than any part of Asia and Africa, is an assertion that can only be made good by comparing the judicious calculations of modern travellers, with the exaggerated accounts of former ones; and by shewing that there is no mountain in those two quarters of the globe, the altitude whereof, when accurately taken, amounts to 2,400 toises*.

Perhaps in no instance has the imagination of man been more creative, or more given to amplification, than in ascertaining the heights of mountains. I have been considerably amused to-day with considering this article in

Gruner's description of the Swiss glaciers. In one of the chapters, he has given the altitude of some of the most remarkable mountains of the globe, agreeably to the calculations of several famous geographers and travellers, both ancient and modern.

According to Strabo, the highest mountain of the antient world was about. Toises, 3,411

According to Riccioli - 58,216

According to Father Kircher, who took the elevations of mountains by the uncertain method of measuring their shadows,

Etna is 4,000
The Pike of Teneriff 10,000
Mount Athos 20,000
Larissa in Egypt 28,000

But these several calculations are evidently so extravagant, that their exaggeration cannot but strike the most common observer. If we consult the more † modern and

ling errors that had crept into Mr. De Luc's computations; to improve still farther the discoveries of the latter; and has facilitated the means of taking elevations, by simplifying the tables and rules necessary for that purpose.

The height of *Mont Blanc*, according to Sir George Schuckborough, is 15,662 feet perpendicular above the level of the sea; according to Mr. De Luc 2391½ French toises; which, reduced to our measure, gives 15,305 feet; if the proportion of the French to the English foot be nearly as 15 to 16, without considering the fraction. The difference is only 359 feet.

[See Sir George Schuckborough's *Observations made in Savoy*.]

* General Pfiffer indeed computes the height of the *Scherckhorn* (the most elevated of the Alps in the canton of Berne) as equal to 2,400 toises above the level of the sea; a calculation, however, which is probably somewhat exaggerated. For although, as I am informed, his method of taking elevations is in itself exact; yet as he does not correct the difference occasioned by the refractions of the atmosphere; he consequently assigns too great an height. Nevertheless, as he accurately preserves the different proportions, this exaggeration may be easily reduced to the true standard. Probably the *Scherckhorn* will be found to be the highest mountain of the old world, excepting *Mont Blanc*.

† In order to determine with absolute certainty that *Mont Blanc* is the highest point of the old world, it would be necessary to estimate, by the same mode of

and rational accounts, it appears that the Pike of Teneriff and *Ætna* have been frequently supposed to be the highest mountains of the globe. The former is estimated by some natural philosophers, to be 3,000 toises above the level of the sea; but, according to Feuillée, this elevation is reduced to 2,070 toises (and this measurement too is probably somewhat beyond the truth) whereas *Ætna*, by the accurate computations of Mr. De Saussure, rises only * 1672 toises above the sea. So that from these observations, as well as from those which have been made by other travellers, whose skill may be depended upon,

it will appear that there are few mountains, except those in America, (the elevation whereof reaches, according to Condamine, to above 3,000 toises) which are equal in height to *Mont Blanc*.

The access to *Mont Blanc* has been hitherto found impracticable. About two months ago four inhabitants of Chamouny attempted to reach it; and set out from that village at ten in the evening. After above fourteen hours most violent fatigue, employed in mounting rugged and dangerous ascents, in crossing several vallies of ice, and large plains of snow, which was in some parts so loose, that they sunk in it down to the

of mensuration, *Mont Blanc*, the Schereckhorn, the Pike of Teneriff, the mountains of the Moon in Africa, the Taurus, and the Caucasus.

The latter have long been deemed the highest mountains of Asia; and some philosophers, upon considering the great superiority, which the eastern rivers have over the European, both in depth and breadth, have drawn from thence a presumptive argument, that the Asiatic mountains are much more elevated than those of Europe. But conjectures are now banished from natural philosophy; and, till some person of sufficient ability shall shew from undoubted calculations, that the highest part of the Caucasus rises more than 15,000 feet above the level of the sea, *Mont Blanc* may be fairly considered as more elevated.

N. B. Throughout the text I have made use of the French toise, consisting of six French feet.

* About 10,660 English feet. According to Sir George Schuckborough 10,954: who says, "I have ventured to compute the height of this celebrated mountain from my own tables, though from an observation of Mr. De Saussure, in 1773, which that gentleman obligingly communicated to me. It will serve to shew that this Volcano is by no means the highest mountain of the old world; and that Vesuvius, placed upon Mount *Ætna*, would not be equal to the height of *Mont Blanc*, which I take to be the most elevated point in Europe, Asia, and Africa."

I am happy to find my conjectures corroborated by that ingenious and accurate observer.

				Feet.
Height of <i>Ætna</i> , according to Sir George	—	—	—	10,954
Of Vesuvius, according to Mr. De Saussure	—	—	—	3,900
Of both together	—	—	—	14,854
Height of <i>Mont Blanc</i> , according to Sir George	—	—	—	15,662
Difference,—or the height of <i>Mont Blanc</i> above that of <i>Ætna</i> and Vesuvius taken together	—	—	—	808
				wait;

waist; they found themselves upon the summit next to Mont Blanc. At first sight it appeared scarce a league distant: however, they soon discovered that the clearness of the air, the extraordinary whiteness of the snow, and the height of that mountain, made it seem nearer than it was in reality; and, they perceived with regret, that it would require at least four hours more to arrive at it, even supposing it were practicable. But as the day was now far advanced, and the vapours towards the summit of Mont Blanc began to gather into clouds; they were obliged to return without having accomplished their enterprise. They had no time to lose: and as they were returning in great haste, one of the party slipped down in attempting to leap over a chasm of ice. He had in his hand a long pole, spiked with iron, which he had struck into the ice on the

other side of the opening; and upon this he hung dreadfully suspended for a few moments, until he was taken out by his companions. The danger he had just escaped, made such an impression upon him, that he fainted away, and continued for some time in that situation: he was at length, however, brought to himself, and, though considerably bruised, he sufficiently recovered to be able to go on. They did not arrive at Chamouny till eight that evening, after having passed two and twenty hours of inconceivable fatigue, and being more than once in danger of losing their lives in these desolate regions: but, as some sort of recompence for so much danger and fatigue, they have the satisfaction, at least, of having approached nearer to Mont Blanc than any former adventurers*.

I am, &c.

* According to Sir George Schuckborough, the summit to which they arrived, is more than 13,000 feet above the Mediterranean. These persons however do not seem to have taken sufficient precautions for so perilous an enterprise: for the expedition was not only hazardous to a great degree, but it was also too fatiguing and too difficult to be accomplished within twenty-four hours. They ought to have set out in the morning, have taken care with them, and, if possible, have found some proper place in which to have passed the night. If that could have been accomplished, and if by any means they could have guarded themselves against the piercing cold, they would have been sufficiently refreshed the next morning to pursue their expedition, and would not have found themselves, after advancing within four hours of Mont Blanc, so fatigued and terrified as to be unable to proceed; nor the day so far spent, that, had they gone on, they must have been overtaken by darkness, and would probably have either fallen down one of the precipices, or have perished with cold.

boiled enough, cast away the water, and peel them; and, with the assistance of a wooden roller, reduce them into a paste, which, by grinding, grows stiff and elastic. When there are no more clots or lumps in the whole mass, then the pulp is in perfection.

Remarks. — The parts which constitute the potatoe are in its natural state divided; after boiling, these parts are so united as to be but one homogeneous mass. The starch, the fibrous substance which floated, as one may say, in the vegetative water, are in it dissolved.

It is from this very simple operation that the whole fabrication of potatoe-bread depends; without it, no panification: moreover, the potatoe must necessarily be in that state when we intend to mix it with any other grain, such as buck-wheat, barley, or oats: under any other form, its union with these sorts of grain will make, at best, but a coarse bread.

Of the Bread. — Take five pounds of dried starch, and five pounds of the pulp; dissolve a suitable quantity of leaven or yeast in warm water the eve or night before. The mixture being exactly made, let it lie all night in a kneading trough, well covered and kept warm until the next day; this is the second leaven; then add five pounds more of starch, and the same quantity of pulp, and knead it well. The water must be in proportion as a fifth part, that is to say, that upon twenty pounds of paste there must be five pounds of the water. You must observe that the water be used as hot as possible.

The paste being completely kneaded, it must be divided into small loaves: this bread requires slow preparation, and the oven must be equally and moderately heated: it will require two hours baking.

The salt with which they season the bread in some provinces is also necessary for this: the quantity depends on the taste; but half a drachm seems to be sufficient.

Any one may easily conceive that this abstract cannot wholly give an idea of the process, and that those who have the fabrication of this bread at heart must be obliged to have recourse to their own experience, because no exact account is to be expected when a new preparation is to be performed.

Description of a most effectual Method of securing Buildings against Fire, invented by Charles Lord Viscount Mahon, F. R. S.

[From the Philosophical Transactions.]

THE new and very simple method which I have discovered of securing every kind of building (even though constructed of timber) against all danger of fire, may very properly be divided into three parts; namely, under-flooring, extra-lathing, and inter-securing, which particular methods may be applied, in part or in whole, to different buildings, according to the various circumstances attending their construction, and according to the degree of accumulated fire, to which each of these buildings may be exposed, from

from the different uses to which they are meant to be appropriated. The method of *under-flooring* may be divided into two parts; viz. into *single* and *double under-flooring*.

The method of *single under-flooring* is as follows: A common strong lath, of about one quarter of an inch thick (either of oak or fir) should be nailed against each side of every joist, and of every main timber, which supports the floor intended to be secured. Other similar laths ought then to be nailed the whole length of the joists, with their ends butting against each other: these are what I call the *fillets*. The top of each fillet ought to be at one inch and a half below the top of the joists or timbers against which they are nailed. These fillets will then form, as it were, a sort of small ledge on each side of all the joists.

When the fillets are going to be nailed on, some of the rough plaster hereafter mentioned must be spread with a trowel all along that side of each of the fillets which is to lay next to the joists, in order that these fillets may be well bedded therein, when they are nailed on, so that there should not be any interval between the fillets and the joists. A great number of any common laths (either of oak or fir) must be cut nearly to the length of the width of the intervals between the joists. Some of the rough plaster referred to above ought to be spread with a trowel, successively upon the top of all the fillets, and along the sides of that part of the joists which is between the top of the fillets and the upper edge of the joists. The short pieces of common laths

just mentioned ought (in order to fill up the intervals between the joists that support the floor) to be laid in the contrary direction to the joists, and close together in a row, so as to touch one another, as much as the want of straintness in the laths will possibly allow, without the laths lapping over each other; their ends must rest upon the fillets spoken of above, and they ought to be well bedded in the rough plaster. It is not proper to use any nails to fasten down either these short pieces of laths, or those short pieces hereafter mentioned.

These short pieces of laths ought then to be covered with one thick coat of the rough plaster spoken of hereafter, which should be spread all over them, and which should be brought, with a trowel, to be about level with the tops of the joists, but not above them. This rough plaster in a day or two should be trowelled all over close home to the sides of the joists; but the tops of the joists ought not to be any ways covered with it.

The method of *double under-flooring* is, in the first part of it, exactly the same as the method just described. The fillets and the short pieces of laths are applied in the same manner; but the coat of rough plaster ought to be little more than half as thick as the coat of rough plaster applied in the method of *single under-flooring*.

In the method of double under-flooring, as fast as this coat of rough plaster is laid on, some more of the short pieces of laths, cut as above directed, must be laid in the intervals between the joists upon

the first coat of rough plaster; and each of these short laths must be, one after the other, bedded deep and quite sound into this rough plaister whilst it is soft. These short pieces of laths should be laid also as close as possible to each other, and in the same direction as the first layer of short laths.

A coat of the same kind of rough plaster should then be spread over this second layer of short laths, as there was upon the first layer above described. This coat of rough plaster should (as above directed for the method of *single under-flooring*) be trowelled level with the tops of the joists, but it ought not to rise above them. The sooner this second coat of rough plaster is spread upon the second layer of short laths just mentioned the better. What follows is common to the method of *single* as well as to that of *double under-flooring*.

Common coarse lime and hair (such as generally serves for the pricking up coat in plastering) may be used for all the purposes before or hereafter mentioned; but it is considerably cheaper, and even much better, in all these cases, to make use of *hay* instead of *hair*, in order to prevent the plaster-work from cracking. The hay ought to be chopped to about three inches in length, but no shorter. One measure of common rough sand, two measures of slacked lime, and three measures but not less of chopped *hay*, will prove in general, a very good proportion, when sufficiently beat up together in the manner of common mortar. The hay must be well dragged in this kind of rough plaster, and well intermixed with

it; but the hay ought never to be put in, till the two other ingredients are well beat up together with water. This rough plaster ought never to be made thin for any of the work mentioned in this paper. The stiffer it is the better, provided it be not too dry to be spread properly upon the laths. If the flooring boards are required to be laid very soon, a fourth or a fifth part of quick lime in powder, very well mixed with this rough plaster just before it is used, will cause it to dry very fast.

I have practised this method in an extensive work with great advantage. In *three weeks* this rough plaster grows perfectly *dry*. The rough plaster, so made, may be applied at *all times of the year* with the greatest success. The easiest method, by much, of reducing *quick lime* to powder is by dropping a *small* quantity of water on the lime-stone, a little while before the powder is intended to be used: the lime will still retain a very sufficient degree of heat.

When the rough plaster-work between the joists has got thoroughly dry, it ought to be observed, whether or not, there be any small cracks in it, particularly next to the joists. If there are any, they ought to be washed over with a brush, wet with *mortar-wash*, which will effectually close them; but there will never be any cracks at all, if the *chopped hay* and the *quick lime* be properly made use of.

The mortar-wash I make use of is merely this. About two measures of quick lime, and one measure of common sand, should be put

put into a pail, and should be well stirred up with water, till the water grows very thick, so as to be almost of the consistency of a thin jelly. This wash, when used, will grow dry in a few minutes.

Before the flooring boards are laid, a small quantity of very dry common sand should be strewed over the rough plaster-work, but not over the tops of the joists. The sand should be struck smooth with an hollow rule, which ought to be about the length of the distance from joist to joist, and of about one eighth of an inch curvature; which rule, passing over the sand in the same direction with the joists, will cause the sand to lay rather rounding in the middle of the interval between each pair of joists. The flooring boards may then be laid and fastened down in the usual manner; but very particular attention must be paid to the rough plaster-work and to the sand being most perfectly dry before the boards are laid, for fear of the dry-rot; of which however there is no kind of danger, when this precaution is made use of. The method of *under-flooring* I have also applied with the utmost success, to a wooden staircase. It is made to follow the shape of the steps, but no sand is laid upon the rough plaster-work in this case.

The method of *extra-lathing* may be applied to cieling joists, to sloping roofs, and to wooden partitions. It is simply this: as the laths are going to be nailed on, some of the above-mentioned

rough plaster ought to be spread between these laths and the joists (or other timbers) against which these laths are to be nailed. The laths ought to be nailed very close to each other. When either of the ends of any of the laths laps over other laths, it ought to be attended to, that these ends be bedded sound in some of the same kind of rough plaster. This attention is equally necessary for the second layer of laths hereafter mentioned.

The first layer of laths ought to be covered with a pretty thick coat of the same rough plaster spoken of above. A second layer of laths ought then to be nailed on, each lath being, as it is put on, well squeezed and bedded sound into the soft rough plaster. For this reason, no more of this first coat of rough plaster ought to be laid on at a time than what can be immediately followed with the second layer of laths.

The laths of this second layer ought to be laid as close to each other as they can be, to allow of a proper clench for the rough plaster. The laths of the second layer * may then be plastered over with a coat of the same kind of rough plaster, or it may be plastered over in the usual manner.

The third method, which is that of *inter-securing*, is very similar, in most respects, to that of *under-flooring*; but no sand is afterwards to be laid upon it. *Inter-securing*, is applicable to the same parts of a building as the method of *extra-lathing* just described; but it is

* If a third layer of laths be immediately nailed on, and be covered with a third coat of rough plaster, I then call the method *treble lathing*; but this method of *treble lathing* can almost in no case be required.

not often necessary to be made use of.

I have made a prodigious number of experiments upon every part of these different methods. I caused a wooden building to be constructed at *Cherwening* in *Kent*, in order to perform them in the most natural manner. The methods of *extra-lathing* and *double under-flooring* were the only ones made use of in that building.

On the 26th of September 1777, I had the honour to repeat some of my experiments before the president and some of the fellows of the Royal Society, the Lord Mayor and Aldermen of the city of London, the committee of city lands, several of the foreign ministers, and a great number of other persons.

The first experiment was to fill the lower room of the building (which room was about twenty-six feet long by sixteen wide) full of shavings and faggots, mixed with combustibles, and to set them all on fire. The heat was so intense, that the glass of the windows was melted like so much common sealing wax, and run down in drops, yet the flooring boards of that very room were not burnt through, nor was one of the side timbers, floor-joists, or ceiling-joists damaged in the smallest degree; and the persons who went into the room immediately over the room filled with fire, did not perceive any ill effects from it whatever, even the floor of that room being perfectly cool during that enormous conflagration immediately underneath.

I then caused a kind of wooden building of full fifty feet in length, and of three stories high

in the middle, to be erected, quite close to one end of the secured wooden house. I filled and covered this building with above eleven hundred large kiln faggots, and several loads of dry shavings; and I set this pile on fire. The height of the flame was no less than eighty-seven feet perpendicular from the ground, and the grass upon a bank, at a hundred and fifty feet from the fire, was all scorched; yet the secured wooden building, quite contiguous to this vast heap of fire, was not at all damaged, except some parts of the outer coat of plaster-work.

This experiment was intended to represent a wooden town on fire, and to show how effectually even a wooden building, if secured according to my new method, would stop the progress of the flames on that side, without any assistance from fire-engines, &c.

The last experiment I made that day was, the attempting to burn a wooden stair-case, secured according to my simple method of *under-flooring*. The underside of the stair-case was *extra-lathed*. Several very large kiln faggots were laid, and kindled, under the stair-case, round the stairs and upon the steps; this wooden stair-case notwithstanding resisted, as if it had been of fire-stone, all the attempts that were made to consume it. I have since made five other still stronger fires upon this same stair-case, without having repaired it, having, moreover, filled the small place in which this stair-case is, entirely with shavings and large faggots; but the stair-case is, however, still standing, and is but little damaged.

In most houses it is necessary *only to secure the floors*; and that according to the method of *single under-flooring* already described. The extra expence of it (all materials included) is only about *nine-pence per square yard*, unless there should be particular difficulties attending the execution, in which case, it will vary a little. When quick lime is made use of, the expence is a trifle more. The extra-expence of the method of *extra-lathing*, is no more than *six-pence per square yard* for the timber, side-walls, and partitions; but for the cieling about *nine-pence per square yard*. No *extra-lathing* is necessary in the generality of houses.

Instructions for cultivating and curing Tobacco in England. From Mr. Carver's Treatise on that Subject.

THE best ground for raising the plant is a warm rich soil, not subject to be over-run with weeds; for from these it must be totally cleared. The soil in which it grows in Virginia is inclining to sandy, consequently warm and light; the nearer therefore the nature of the land approaches to that, the greater probability there is of its flourishing here. The situation most preferable for a plantation is the southern declivity of a hill, or a spot that is sheltered from the blighting north winds which so frequently blow, during the spring months, in this island. But at the same time the plants must enjoy a free current of air; for if that be obstructed they will not prosper.

As the tobacco plant, being an annual, is only to be raised from

seed, the greatest care in purchasing these is necessary; lest by sowing such as is not good, we lose, with the expected crop, the season. The different sorts of the seeds not being distinguishable from each other, nor the goodness to be ascertained by their appearance; the purchaser should apply to a person of character in that profession. In describing the manner in which the plant ought to be raised from the seed, as well as in the succeeding progress, I shall confine myself to the practice of the northern colonies of America, as these are more parallel in their latitude to England.

About the middle of April, or rather sooner in a forward spring, sow the seed in beds first prepared for the purpose with some warm rich manure. In a cold spring, regular hot-beds would be most eligible for this purpose; and indeed the gardeners of this country are persuaded, that the *Nicotiana* cannot be raised in any other way; but these are seldom to be found in common gardens, and I am convinced that if the weather is not remarkably severe, they might be reared without doors. A square yard of land, for which a small quantity of seed is sufficient, will produce above five hundred plants, and allow proper space for their nurture till they are fit to transplant.

Having sown the seed in the manner directed, on the least apprehension of a frost after the plants appear, it will be necessary to spread mats over the beds, elevated from the ground by poles laid across. These however must be removed in the morning soon after the sun appears, that they may

may receive as much benefit as possible from its warmth, and from the air. In this manner proceed till the leaves have attained the size of about two inches in length, and one in breadth, which they will do in about a month, or near the middle of May. One invariable rule for their being able to bear removal is, when the fourth leaf is sprouted, and the fifth just appears. Then take the opportunity of the first rains, or gentle showers, to transplant them into such a soil and situation as before described. The land must be plowed, or dug up with spades, as mellow and light as possible. Raise, with the hoe, small hillocks at the distance of two feet, or a little more, from each other, taking care that no hard sods or lumps are in it, and then just indent the middle of each, without dibbling the holes as for some other plants. When your ground is thus prepared, dig up the plants in a gentle manner from their native bed, and insert a plant gently into the center of each hillock, pressing the soil around it with your fingers, and taking the greatest care, during the operation, that you do not break off any of the leaves, which are at this time exquisitely tender. If the weather proves dry, after they are thus transplanted, they must be watered with soft water, in the same manner as is usually done to coleworts, or plants of a similar kind. From this time great care must be taken to keep the ground soft, and free from weeds, by often stirring with your hoe the mould round the roots; and pruning off the dead leaves that sometimes are found near the bottom of the stalk.

The difference of this climate from that in which I have been accustomed to observe the progress of this plant, will not permit me to direct with certainty the time which is most proper to take off the top of it, to prevent it from running to seed. This knowledge can only be perfectly acquired by experience. When it has risen to upwards of two feet, it commonly begins to put forth the branches on which the flowers and seeds are produced; but as this expansion, if suffered to take place, would drain the nutriment from the leaves, and thereby lessen their size and efficacy, it becomes needful at this stage to nip off the extremity of the stalk, to prevent its growing higher. In some other climates the top is commonly cut off when the plant has fifteen leaves; if the tobacco is intended to be a little stronger than usual, this is done when it has only thirteen; and sometimes, when it is chosen to be remarkably powerful, eleven or twelve leaves only are allowed to expand. On the contrary, if the planter is desirous to have his crop very mild, he suffers it to put forth eighteen or twenty: but in this calculation the three or four lower leaves next the ground are not to be reckoned.

This is denominated 'topping the tobacco,' and is much better done by the finger and thumb, than with any instrument; because the former close, at the same time, the pores of the plants; whereas, when it is done with the latter, the juices are in some degree exhausted. And though this might appear unimportant, yet every method that tends to give vigour to
the

the leaves should be carefully pursued. For the same reason care must be taken to nip off the sprouts that will be continually springing up at the junction of the leaves with the stalks. This is termed 'suckerling the tobacco,' and ought to be repeated as often as occasion requires.

The last, and not the least concern in the cultivation of this plant, is the destruction of the worm that Nature has given it for an enemy, and which, like many other reptiles, preys on its benefactor. To destroy these, which are the only insects that molest this plant, every leaf must be carefully searched. As soon as such a wound is discovered, the cause of it, who will be found near it, from his unsubstantial texture, which I shall presently describe, may be easily crushed: but the best method is to pluck it away by the horn, and then crush it. Without a constant attention to these noxious insects, a whole field of plants may be soon destroyed. This is termed 'worming the tobacco;' and as these worms are found most predominant the latter end of July, and the beginning of August, they must be particularly attended to at that season.

As I have just observed, that it is impossible, without experience, to point out the due time for topping the plant, so it is equally as impossible to ascertain the time it will take to ripen in this climate. That can only be known by future observations; for as it is at present only cultivated in England as an ornament for the garden, no particular attention has, I believe, been hitherto bestowed on the preservation of its leaves. The appa-

rent signs, however, of its maturity are, that the leaves, as they approach a state of ripeness, become more corrugated or rough; and when fully ripe, appear mottled with yellowish spots on the raised parts, whilst the cavities retain their usual green colour. They are, at this time, also thicker than they have before been, and are covered with a kind of downy velvet. If heavy rains happen at this critical period, they will wash this excrecent substance off, and thereby damage the plants. In such a case, if the frosty nights are not begun, it is proper to let them stand a few days longer; when, if the weather be more moderate, they will recover this substance again. But if a frost unexpectedly happens during the night, they must be carefully examined in the morning before the sun has any influence on them: and those which are found to be covered with frosty particles, whether thoroughly ripe or not, must be cut up: for though they may not all appear to be arrived at a state of maturity, yet they cannot be far from it, and will differ but little in goodness from those that are perfectly so.

Having now given every instruction that occurs to my memory relative to the culture of the plant, I shall describe the worm that infests it. It is of the horned species, and appears to be peculiar to this plant; so that in many parts of America it is distinguished by the name of the Tobacco-worm. The first time it is discernible is when the plants have gained about half their height: it then appears to be nearly as large as a gnat; soon after which it lengthens into a worm, and

As soon as the plants are taken down, they must once more be laid in a heap, and pressed with heavy logs of wood for about a week. This climate, however, may require a longer time. Whilst they remain in this state, it will be necessary to introduce your hand frequently into the heap to discover whether the heat be not too intense; for in large quantities this will sometimes be the case, and considerable damage will accrue from it. When the heat exceeds a moderate glowing warmth, part of the weight by which they are compressed must be taken away; and the cause being removed, the effect will cease. This is called 'the second or last sweating,' and when completed, which it generally will be in about the time just mentioned, the leaves may be stripped from the stalks for use. Many omit this last operation, but it takes away any remaining harshness, and renders the tobacco more mellow. When the leaves are stripped from the stalks, they are to be tied up in bunches and kept in a cellar, or any other place that is damp; though if not handled in dry weather, but only during a rainy season, it is of little consequence in what part of the house or barn they are laid up. At this period the tobacco is thoroughly cured, and equally proper for manufacturing as that imported from the colonies. If it has been properly managed, that raw fiery taste so frequently found in the common sale tobacco will be totally eradicated; and though it retains all its strength, will be soft and pleasing in its flavour. Those who are curious in their tobacco in the

northern colonies of America sprinkle it, when made up into rolls for keeping, with small common white wines or cyder, instead of salt water, which gives it an inexpressibly fine flavour.

By pursuing the rules which I have endeavoured to give in as explicit terms as possible, country gentlemen and landholders in general will be enabled to raise much better tobacco than that which is usually imported from Maryland or Virginia: for notwithstanding there are not wanting prohibitory laws in those countries to prevent the planters from sending to market any but the principal leaves, yet they frequently, to increase their profit, suffer the sprouts to grow, and mix the smaller leaves of these with the others, which renders them much inferior in goodness. The crops that I have reason to believe may be raised in England, will greatly exceed in flavour and efficacy any that is imported from the southern colonies: for though northern climates require far more care and exactness to bring tobacco to a proper state of maturity than warmer latitudes, yet this tardiness of growth tends to impregnate the plants with a greater quantity of salts, and consequently with that aromatic flavour for which it is prized, than is to be found in the produce of hotter climes, where it is brought to a state of perfection from the seed, in half the time required in colder regions.

A pound of tobacco raised in New-England or Nova-Scotia is supposed to contain as much real strength as two pounds from Virginia; and I doubt not but that
near

112 ANNUAL REGISTER, 1779:

“ live as comfortably as our-
“ selves.

“ It seems a laudable wish that
“ all the nations of the earth were
“ connected by a knowledge of
“ each other, and a mutual ex-
“ change of benefits : but a
“ commercial nation particularly
“ should wish for a general civi-
“ lization of mankind, since trade
“ is always carried on to much
“ greater extent with people who

“ have the arts and conveniencies
“ of life, than it can be with
“ naked savages. We may there-
“ fore hope in this undertaking
“ to be of some service to our
“ country, as well as to those
“ poor people, who, however dis-
“ tant from us, are in truth re-
“ lated to us, and whose interests
“ do, in some degree, concern
“ every one who can say *Homo*
“ *sum,*” &c.

Scheme of a voyage by subscription, to convey the conveniencies of life, as fowls, hogs, goats, cattle, corn, iron, &c. to those remote regions which are destitute of them, and to bring from thence such productions as can be cultivated in this kingdom to the advantage of so- ciety, in a ship under the command of Alexander Dalrymple.

Catt or bark, from the coal trade, of 350 tons, estimated	£.
at about — — — —	2000
Extra expences, stores, boats, &c. — —	3000
	<hr/> 5000

To be manned with 60 men at
4 per man per month

240
12
<hr/> 2880 per annum
3

Wages and } provisions }	8640 for three years	—	—	8640
				<hr/> 13640

Cargo included, supposed	—	—	—	15000
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The expences of this expedition are calculated for *three* years ; but the greatest part of the amount of wages will not be wanted till the ship returns, and a great part of the expence of provisions will be saved by what is obtained in the course of the voyage by barter or otherwise, though it is proper to

make provision for contingencies.

* * * * *

Extract of a Letter to Dr. Percival, concerning the Provision made in China against Famine.

“ I HAVE somewhere read that in China an account is yearly tak- en of the number of people, and the

the quantities of provision produced. This account is transmitted to the Emperor, whose Ministers can thence foresee a scarcity likely to happen in any province, and from what province it can best be supplied in good time. To facilitate the collecting of this account, and prevent the necessity of entering houses and spending time in asking and answering questions, each house is furnished with a little board to be hung without the door, during a certain time each year; on which board are marked certain words, against which the inhabitant is to mark number or quantity, somewhat in this manner:

Men,
Women,
Children,
Rice or Wheat,
Flesh, &c.

All under 16 are accounted children, and all above, men and women. Any other particulars which the government desires information of, are occasionally marked on the same boards. Thus the officers appointed to collect the accounts in each district, have only to pass before the doors, and enter into their book what they find marked on the board, without giving the least trouble to the family. There is a penalty on marking falsely, and as neighbours must know nearly the truth of each others account, they dare not expose themselves by a false one, to each others accusation. Perhaps such a regulation is scarcely practicable with us."

VOL. XXII.

Positions to be Examined.

1. ALL food or subsistence for mankind arise from the earth or waters.

2. Necessaries of life that are not foods, and all other conveniences, have their values estimated by the proportion of food consumed while we are employed in procuring them.

3. A small people with a large territory may subsist on the productions of nature, with no other labour than that of gathering the vegetables and catching the animals.

4. A large people with a small territory finds these insufficient; and to subsist, must labour the earth, to make it produce greater quantities of vegetable food, suitable for the nourishment of men, and of the animals they intend to eat.

5. From this labour arises a great increase of vegetable and animal food, and of materials for clothing, as flax, wool, silk, &c. The superfluity of these is wealth. With this wealth we pay for the labour employed in building our houses, cities, &c. which are therefore only subsistence thus metamorphosed.

6. *Manufactures* are only another shape into which so much provisions and subsistence are turned, as were equal in value to the manufactures produced. This appears from hence, that the manufacturer does not, in fact, obtain from the employer, for his labour, more than a mere subsistence, including raiment, fuel and shelter; all which derive their value from the provisions consumed in procuring them.

1

7. The

7. The produce of the earth, thus converted into manufactures, may be more easily carried to distant markets than before such conversion.

8. *Fair commerce* is, where equal values are exchanged for equal, the expence of transport included. Thus, if it costs A in *England* as much labour and charge to raise a bushel of wheat, as it costs B in *France* to produce four gallons of wine, then are four gallons of wine the fair exchange for a bushel of wheat, A and B meeting at half distance with their commodities to make the exchange. The advantage of this fair commerce is, that each party increases the number of his enjoyments, having, instead of wheat alone, or wine alone, the use of both wheat and wine.

9. Where the labour and expence of producing both commodities are known to both parties, bargains will generally be fair and equal. Where they are known to one party only, bargains will often be unequal, knowledge taking its advantage of ignorance.

10. Thus he that carries 1000 bushels of wheat abroad to sell, may not probably obtain so great a profit thereon, as if he had first turned the wheat into manufactures, by subsisting therewith the workmen while producing those manufactures: since there are many expediting and facilitating methods of working, not generally known; and strangers to the manufactures, though they know pretty well the expence of raising wheat, are unacquainted with those short methods of working, and thence being apt to suppose more labour

employed in the manufactures than there really is, are more easily imposed on in their value, and induced to allow more for them than they are honestly worth.

11. Thus the advantage of having manufactures in a country, does not consist, as is commonly supposed, in their highly advancing the value of rough materials, of which they are formed; since, though six-pennyworth of flax may be worth twenty shillings when worked into lace, yet the very cause of its being worth twenty shillings is, that, besides the flax, it has cost nineteen shillings and sixpence in subsistence to the manufacturer. But the advantage of manufactures is, that under their shape provisions may be more easily carried to a foreign market; and by their means our traders may more easily cheat strangers. Few, where it is not made, are judges of the value of lace. The importer may demand forty, and perhaps get thirty shillings for that which cost him but twenty.

12. Finally, there seem to be but three ways for a nation to acquire wealth. The first is by *war*, as the *Romans* did, in plundering their conquered neighbours. This is *robbery*.—The second by *commerce*, which is, generally *cheating*.—The third by *agriculture*, the only *honest way*; wherein man receives a real increase of the seed thrown into the ground, in a kind of continual miracle wrought by the hand of God in his favour, as a reward for his innocent life, and his virtuous industry.

B. F.

April 2, 1769.

Specifi-

USEFUL PROJECTS: 115

*Specification of Dr. Higgin's Patent
for a new-invented Water-Cement
or Stucco.*

*To all whom these Presents shall
come, &c.*

NOW know ye that in compliance with the said proviso, I the said B. H. do hereby declare that my invention of a water cement or stucco, for building, repairing and plastering walls, and for other purposes, is described in the manner following (that is to say) drift sand, or quarry * sand, which consists chiefly of hard quartzose flat faced grains with sharp angles; which is the freest, or may be most easily freed by washing, from clay, salts, and calcareous, gypseous or other grains less hard and durable than quartz; which contains the smallest quantity of pyrites or heavy metallic matter inseparable by washing; and which suffers the smallest diminution of its bulk in washing in the following manner, is to be preferred before any other. And where a coarse and a fine sand of this kind, and corresponding in the size of their grains with the coarse and fine sands hereafter described, cannot be easily procured, let such sand of the foregoing quality be chosen, as may be sorted and cleansed in the following manner:

Let the sand be sifted in streaming clear water, through a sieve which shall give passage to all such grains as do not exceed one sixteenth of an inch in diameter; and let the stream of water and the sifting be regulated so that all the sand which is much finer than the Lynn-sand commonly used in the London glass-houses, together with clay and every other matter specifically lighter than sand, may be washed away with the stream; whilst the purer and coarser sand, which passes through the sieve, subsides in a convenient receptacle; and whilst the coarse rubbish and shingle † remain on the sieve, to be rejected.

Let the sand which thus subsides in the receptacle, be washed in clean streaming water, through a finer sieve, so as to be further cleansed and sorted into two parcels; a coarser, which will remain in the sieve which is to give passage to such grains of sand only as are less than one thirtieth of an inch in diameter, and which is to be saved apart under the name of coarse sand; and a finer, which will pass through the sieve and subside in the water, and which is to be saved apart under the name of fine sand.—Let the coarse and the fine sand be dried separately, either in the sun, or on a clean iron plate set on a convenient furnace, in the manner of a sand heat ‡.

* This is commonly called pit-sand.

† I find that I have used this word improperly, on bad authority. The reader is requested to read rubble instead of shingle throughout this specification.

‡ The sand ought to be stirred up continually until it is dried, and is then to be taken off; for otherwise the evaporation will be very slow, and the sand, which lies next the iron plate, by being overheated, will be discoloured.

Let lime be chosen * which is stone lime, which heats the most in slaking, and flakes the quickest when duly watered; which is the freshest made and closest kept; which dissolves in distilled vinegar with the least effervescence, and leaves the smallest residue insoluble, and in this residue the smallest quantity of clay gypsum or martial matter.

Let the lime chosen according to these important rules, be put in a brass-wired sieve to the quantity of fourteen pounds. Let the sieve be finer than either of the foregoing; the finer, the better it will be: let the lime be flaked †

by plunging it in a butt filled with soft water and raising it out quickly and suffering it to heat and fume, and by repeating this plunging and raising alternately, and agitating the lime, until it be made to pass through the sieve into the water; and let the part of the lime which does not easily pass through the sieve be rejected: and let fresh portions of the lime be thus used, until as many ‡ ounces of lime have passed thro' the sieve, as there are quarts of water in the butt. Let the water thus impregnated stand in the butt closely covered || until it becomes clear; and through wooden § cocks placed

* The preference given to stone lime is founded on the present practice in the burning of lime, and on the closer texture of it, which prevents it from being so soon injured by exposure to the air, as the more spongy chalk lime is: not on the popular notion that stone lime has something in it whereby it excels the best chalk in the cementing properties. The gypsum contained in lime stone remains unaltered or very little altered in the lime, after the burning; but it is not to be expected that clay or martial matter should be found in their native state, in well burned lime; for they concrete or vitrify with a part of the calcareous earth, and constitute the hard grains or lumps, which remain undissolved in weak acids, or are separable from the flaked lime by sifting it immediately through a sieve.

† This method of impregnating the water with lime is not the only one which may be adopted. It is however preferred before others, because the water clears the sooner in consequence of its being warmed by the slaking lime, and the gypseous part of the lime does not diffuse itself in the water so freely in this way, as it does when the lime is flaked to fine powder in the common method, and is then blended with the water; for the gypseous part of the lime flakes, at first, into grains, rather than into fine powder, and will remain on the sieve, after the pure lime has passed through, long enough to admit of the intended separation; but when the lime is otherwise flaked, the gypseous grains have time to flake to a finer powder, and passing through the sieve, dissolve in the water along with the lime. I have imagined that other advantages attended this method of preparing the lime water, but I cannot yet speak of them with precision.

‡ If the water contains no more acidulous gas than is usually found in river or rain water, a fourth part of this quantity of lime, or less, will be sufficient.

|| The calcareous crust which forms on the surface of the water ought not to be broke, for it assists in excluding the air and preventing the absorption of acidulous gas whereby the lime water is spoiled.

§ Brass cocks are apt to colour a part of the liquor.

USEFUL PROJECTS. 117

at different heights in the butt, let the clear liquor be drawn off as fast * and as low as the lime subsides, for use. This clear liquor I call the cementing liquor †. The freer the water is from saline matter, the better will be the cementing liquor made with it.

Let fifty-six pounds of the aforesaid chosen lime be slaked, by gradually sprinkling on it, and especially on the unslaked pieces, the cementing liquor, in a close ‡ clean place. Let the slaked part be immediately || sifted through the last mentioned fine brass-wired sieve: Let the lime which passes be used instantly or kept in air-tight vessels, and let the part of the lime which does not pass through the sieve, be rejected §. — This finer richer part of the lime

which passes through the sieve, I call purified lime.

Let bone-ash be prepared in the usual manner by grinding the whitest burnt bones, but let it be sifted to be much finer than the bone-ash commonly sold for making cupels.

The most eligible materials for making my cement being thus prepared: take fifty-six pounds of the coarse sand and forty-two pounds of the fine sand; mix them on a large plank of hard wood placed horizontally; then spread the sand so that it may stand to the height of six inches with a flat surface on the plank; wet it with the cementing liquor; and let any superfluous quantity of the liquor, which the sand in the condition described cannot retain, flow away

* Lime water cannot be kept many days unimpaired, in any vessel that is not perfectly air-tight. If the liquor be drawn off before it clears, it will contain whiting, which is injurious; and if it be not instantly used, after it is drawn limpid from the butt into open vessels, it will grow turbid again, and deposite the lime changed to whiting by the gas absorbed from the air. The calcareous matter which subsides in the butt, resembles whiting the more nearly, as the lime has been more sparingly employed; in the contrary circumstances, it approaches to the nature of lime; and in the intermediate state, it is fit for the common composition of the plasterers for inside stucco.

† At the time of writing this specification I preferred this term before that of lime-water, on grounds which I had not sufficiently examined.

‡ The vapour which arises in the slaking of the lime contributes greatly to the slaking of these pieces which lie in its way; and an unnecessary waste of the liquor is prevented, by applying it to the lime heaped in a pit or in a vessel which may restrain the issue of the vapour, and direct it through the mass. If more of the liquor be used than is necessary to slake the lime, it will create error in weighing the slaked powder, and will prevent a part of it from passing freely through the sieve. The liquid is therefore to be used sparingly, and the lime which has escaped its action is to be sprinkled apart with fresh liquor.

|| When the aggregation of the lumps of lime is thus broken, it is impaired much sooner than it is in the former state, because the air more freely pervades it.

§ Because it consists of heterogeneous matter, or of ill burnt lime; which last will slake and pass through the sieve, if the lime be not immediately sifted after the slaking, agreeable to the text.

off the plank. To the wetted sand add fourteen pounds of the purified lime in several successive portions, mixing and beating them up together in the mean time with the instruments generally used in making fine mortar: then add fourteen pounds of the bone-ash in successive portions, mixing and beating all together. The quicker and the more perfectly these materials are mixed and beaten together, and the sooner the cement thus formed is used, the better * it will be. This I call the water cement coarse grained, which is to be applied in building, pointing, plastering, stuccoing, or other work, as mortar and stucco now are; with this difference chiefly, that as this cement is shorter than mortar or common stucco and dries sooner, it ought to be worked expeditiously in all cases, and in stuccoing it ought to be laid on by sliding the trowel upwards on it; that the materials used along with this cement in building, or the ground on which it is to be laid in stuccoing, ought to be well wetted with the cementing liquor, in the instant of laying on the cement; and that the cementing li-

quor is to be used when it is necessary to moisten the cement, or when a liquid is required to facilitate the floating of the cement.

When such cement is required to be of a finer texture; take ninety-eight pounds of the fine sand, wet it with the cementing liquor, and mix it with the purified lime and the bone-ash in the quantities and in the manner above described, with this difference only, that fifteen pounds of lime, or † thereabouts, are to be used instead of fourteen pounds, if the greater part of the sand be as fine as Lynn sand. This I call water cement fine grained. It is to be used in giving the last coating or the finish to any work intended to imitate the finer grained stones or stucco. But it may be applied to all the uses of the water cement coarse grained, and in the same manner.

When for any of the foregoing purposes of pointing, building, &c. such a cement is required much cheaper and coarser grained, then, much coarser clean sand than the foregoing coarse sand, or well washed fine ‡ shingle, is to be provided. Of this coarsest sand or

* These proportions are intended for a cement made with sharp sand, for incrustation in exposed situations, where it is necessary to guard against the effects of hot weather and rain. In general half this quantity of bone-ashes will be found sufficient; and although the incrustation in this latter case will not harden deeply so soon, it will be ultimately stronger, provided the weather be favourable.

The injuries which lime and mortar sustain, by exposure to the air, before the cement is finally placed in a quiescent state, are great; and therefore our cement is the worse for being long beaten, but the better as it is quickly beaten until the mixture is effected, and no longer.

† The quantity of bone-ashes is not to be increased with that of the lime; but it is to be lessened as the exposure and purposes of the work will admit.

‡ Rubble.

shingle * take fifty-six pounds, of the foregoing coarse sand twenty-eight pounds, and of the fine sand fourteen pounds; and after mixing these and wetting them with the cementing liquor in the foregoing manner, add fourteen pounds, or somewhat less, of the † purified lime, and then fourteen pounds, or somewhat less, of the bone-ash, mixing them together in the manner already described. When my cement is required to be white, white sand, white lime, and the whitest bone-ash are to be chosen. Grey sand and grey bone-ash formed of half burnt bones, are to be chosen to make the cement grey; and any other colour of the cement is obtained, either by chusing coloured sand, or by the admixture of the necessary quantity of coloured talc in powder, or of coloured vitreous or metallic powders, or other durable colouring ingredients commonly used in paint.

To the end that such a water cement as I have described may be made as useful as it is possible in all circumstances; and that no person may imagine that my claim, and right under these Letters Pa-

tent may be eluded by divers variations which may be made in the foregoing process without producing any notable defect in the cement; and to the end that the principles of this art as well as the art itself of making my cement, may be gathered from this specification and perpetuated to the public, I shall add the following observations.

This my water cement, whether the coarse or fine grained, is applicable in forming artificial stones, by making alternate layers of the cement and of flint, hard stone, or brick, in moulds of the figure of the intended stone, and by exposing the masses so formed, to the open ‡ air to harden.

When such cement is required for water & fences, two thirds of the prescribed quantity of bone ashes are to be omitted; and in the place thereof, an equal measure of powdered terras is to be used; and if the sand employed be not of the coarsest sort, more terras must be added, so that the terras shall be by weight one sixth part of the weight of the sand.

* Rubble.

† Because less lime is necessary, as the sand is coarser.

‡ But they must not be exposed to the rain, until they are almost as strong as fresh Portland stone; and even then they ought to be sheltered from it, as much as the circumstances will admit. These stones may be made very hard and beautiful, with a small expence of bone-ash, by soaking them, after they have dried thoroughly and hardened, in the lime-liquor, and repeating this process twice or thrice, at distant intervals of time. The like effect was experienced in incrustations.

§ In my experiments, mortar made with terras powder, in the usual method, does not appear to form so strong a cement for water fences, as that made according to the specification, with coarse sand; and I see no more reason for avoiding the use of sand in terras mortar, than there would be for rejecting stone from the embankment. The bone-ashes meant in this place are the dark grey or black sort. I am not yet fully satisfied about the operation of them in this instance.

When such a cement is required of the finest grain * or in a fluid form, so that it may be applied with a brush, flint powder, or the powder of any quartose or hard earthy substance may be used in the place of sand, but in a quantity smaller as the flint or other powder is finer; so that the flint powder or other such powder shall not be more than six times the weight of the lime, nor less than four times its weight. The greater the quantity of lime within these limits, the more will the cement be liable to crack by quick drying, and vice versa.

Where such sand as I prefer cannot be conveniently procured, or where the sand cannot be conveniently washed and sorted, that sand which most resembles the mixture of coarse and fine sand above prescribed, may be used as I have directed, provided due attention is paid to the quantity of the lime, which is to be the greater † as the sand is the finer, and *vice versa*.

Where sand cannot be easily procured, any durable stony body, or baked earth grossly powdered ‡ and sorted nearly to the sizes above prescribed for sand, may be used in the place of sand, measure for measure, but not weight for weight, unless such gross powder be as heavy specifically as sand.

Sand may be cleansed from every softer, lighter, and less durable matter, and from that part of the sand which is too fine, by various methods preferable §, in certain circumstances, to that which I have described.

Water may be found naturally free from fixable gas, selenite or clay: such water may, without any notable inconvenience, be used in the place of the cementing liquor; and water approaching this state will not require so much lime as I have ordered, to make the cementing liquor; and a cementing liquor sufficiently useful may be made by various methods of mixing lime and water in the described proportions, or nearly so.

* The qualities and uses of such fine calcareous cement are recommended chiefly for the purpose of smoothing and finishing the stronger crustaceous works, or for washing walls to a lively and uniform colour. For this last intention, the mixture must be as thin as new cream, and laid on briskly with a brush, in dry weather; and a thick and durable coat is to be made by repeated washing, but is not to be attempted by using a thicker liquor; for the coat made with this last is apt to scale, whilst the former endures the weather much longer than any other thin calcareous covering that has been applied in this way. Fine yellow ochre is the cheapest colouring ingredient for such a wash, when it is required to imitate Bath stone, or the warm-white stones.

† If sea sand be well washed in fresh water, it is as good as any other *round* sand.

‡ The cement made with these and the proper quantities of purified lime and lime-water, are inferior to the best, as the grains of these powders are more perishable and brittle than those of sand. They will not therefore be employed, unless for the sake of evasion, or for want of sand: in this latter case the finer powder ought to be washed away.

§ This and the next paragraph is inserted with a view to evasions, as well as to suggest the easier and cheaper methods which may be adopted in certain circumstances, by artists who understand the principles which I have endeavoured to teach.

When

USEFUL PROJECTS. 121

When stone lime cannot be procured, chalk lime or shell lime which best resembles stone lime, in the characters above written of lime, may be used in the manner described, except that fourteen pounds and a half of chalk lime will be required in the place of fourteen pounds of stone lime. The proportion of lime which I have prescribed above may be increased without inconvenience, when the cement or stucco is to be applied where it is not liable to dry quickly; and in the contrary circumstance this proportion may be diminished; and the defect of lime in quantity or quality may be very advantageously supplied*, by causing a considerable quantity of the cementing liquor to soak into the work, in successive portions and at distant intervals of time, so that the calcareous matter of the cementing liquor, and the matter attracted from the open air, may fill and strengthen the work.

The powder of almost every well-dried or burnt animal substance may be used instead of bone-ash; and several earthy powders, especially the micaceous and the metallic; and the elixated ashes of divers vegetables whose earth will not burn to lime; and the ashes of mineral fuel, which are of the calcareous kind, but will not burn to lime; will answer the ends of bone-ash in some degree.

The quantity of bone-ash described may be lessened without injuring the cement, in those circumstances especially which admit

the quantity of lime to be lessened, and in those wherein the cement is not liable to dry quickly. And the art of remedying the defects of lime may be advantageously practised to supply the deficiency of bone-ash, especially in building and in making artificial stone with this cement.

N. B. For inside work, the admixture of hair with this cement is useful.

In witness whereof I the said
B. H. &c.

The excellence of my cement depends, first, on the figure, size and parity of the sand; secondly, on the purity of the lime, obtained in the choice of lime-stone, and in the perfect burning, and secured in the preservation of it from air, in my method of slaking, and in the separation of heterogeneous parts; thirdly, on the use of strong and pure lime water in the place of common water; fourthly, on the proportion of sands, lime water, and lime; fifthly, on the manner of mixing them; sixthly, on the knowledge of ingredients and circumstances which are injurious or useful; seventhly, on the use of bone-ashes of determinate size; eighthly, on the art of suiting some of these to the several purposes; and finally, on so many other particulars, as render it very difficult to give a more candid specification, in the usual compass, than this which I have enrolled, or to guard otherwise against evasions, than by anticipating them.

* This practice is noticed, as the remedy which may be used for the defects arising from evasive measures, and as the method of giving spongy incrustations containing bone-ashes the greatest degree of hardness.

On the Virtues of Acorn-Coffee.

DR. MARR, an eminent German physician, has published in the *Himener Magazine*, some experiments, in which he has shown the great virtues of *Acorn-coffee*, and has confirmed his experiments by accompanying them with a multitude of facts: it must therefore give you pleasure to be able to impart to your readers, that such a common fruit is capable of being converted to many salutary purposes.

The method of preparing the *Acorn-coffee* is as follows:

Take sound and ripe acorns, peel off the shell or husk, divide the kernels, dry them gradually, and then roast them in a close vessel or tin, keeping them continually stirring; in doing of which, especial care must be taken that they be not burnt or roasted too much, both which would be hurtful.

Take of these roasted acorns (ground like other coffee) half an ounce every morning and evening, alone or mixed with a drachm of

other coffee, and sweetened with sugar, with or without milk.

The author says that acorns have always been esteemed a wholesome, nourishing, and strengthening aliment for men, and that by their medicinal qualities they have been found to cure the stony obstructions in the viscera, and to remove various complaints when other medicines have failed; and although acorns, he says, have, by the moderns as well as the ancients, been looked upon as a great astringent, and generally applied more outwardly, and very sparingly inwardly; yet he is of opinion, that by the heat of the fire they lose their astringent quality, and thence have no more that effect than other coffee.

The author forbears all manner of investigation, and contents himself solely with the relation of cases, which he enumerates with brevity and without exaggeration. Many of the cases which accompanied this account respect women, whose complaints arose from disorders peculiar to their sex.

ANTIQUITIES.

ANTIQUITIES.

*A Description of the Alhambra, or
Palace of the Moorish Kings of
Granada.*

THIS ancient fortress, and residence of the Mahometan monarchs of Granada, derives its name from the red colour of the materials that it was originally built with, Alhambra signifying a red house. Most of the sovereigns took a delight in adding new buildings to the old towers, now called *Torres de la campana*, or in embellishing what had been joined by their predecessors. The pleasantness of the situation, and purity of its air, induced the Emperor Charles the Fifth to begin a magnificent edifice on the ruins of the offices of the old palace, and it is thought, he intended to fix his chief abode here; but his volatile temper, continual wars, and frequent absences from Spain, made him give up all thoughts of Granada, long before he had finished the plan. It stands between the rivers, on a very high hill, that projects into the plain, and overlooks all the city: the road up to it is through a narrow street, called *Calle de los Gomeles*, from a great family among the Moors. This brings you through a massive gate, built by the Emperor, into

the outward inclosure of the Alhambra. You then continue to ascend by a very steep avenue of elms, which soon increases to a wood, intersected in many directions by wild, neglected walks, where streams of clear water, finding their passage obstructed by the rubbish of their old channels, spread over the whole road. A large fountain adorns the platform near the top of the hill. The water, diverted from its proper conduits, has been suffered to run at random for such a length of time, that it has destroyed most of the sculpture and embellishment, which were in a very good taste. Here you turn short to the left, and come under the walls of the inner inclosure. Its appearance is that of an old town, exhibiting a long range of high battlemented walls, interrupted at regular distances by large lofty square towers. These have one or two arched windows near the top, and a precipitate slope from the bottom into a dry ditch. The whole is built with round irregular pebbles, mixed with cement and gravel. Some parts are covered and smoothed over with a thick coat of plaster; in other places, mortar has been laid in between the stones, leaving as much of them uncovered as came to

to the level; then the trowel has been carefully drawn round, forming about them triangies, half-moons, &c. Just before you, stands the present principal entrance into the castle, a square tower built by the king Jusaf Abuhagiagi, in 1348, as an inscription informs us: from its being the place where justice was summarily administered, it was styled *the Gate of Judgment*. You pass through it under several arches (each of which is more than a full semicircle, resting upon a small impost, the ends of the bow being brought towards each other in the form of a horseshoe.) On the key-stone of the outward arch, is sculptured the figure of an arm, the symbol of strength and dominion: on that of the next arch is a key embossed, the armorial ensign of the Andalusian Moors. Above it, the wall of this partition is covered with a beautiful blue and gold mosaic, in the middle of which they have placed an image of the Virgin Mary. As this is not a gate ever used for carriages, the passage winds through several turns, full of images, indulgences, and altars, before you get through, out into a narrow street, between a row of shabby barracks on the right, and on the left the castle wall, supposed to be built by the Phœnicians. I examined the work very narrowly, and found it consisted of a layer of cement one or two inches thick, upon which is placed flatwise a stone of the same thickness, chiselled on the face into a kind of a chequered design. This is the regular method employed from top to bottom. This lane ends in the great square, or *Plaza de los Algibes*, so named from the ancient

cisterns, that undermine it from end to end, and are constantly fed by a supply of running water. The prospect from the parapet-wall is wonderfully grand, over the vale of Dauro, the Albaycin, and down the Vega. On the very brow of the hill, hanging over the city, stands the *towers of the bell*, a groupe of high square buildings, which now serve for prisons. Below them, on the south-side, on a slip of terrace, is the governor's garden, a very pleasant walk, full of fine orange and cypress trees, and myrtle hedges, but quite abandoned. The view it commands is incomparable. Two large vases enamelled with gold and azure foliages and characters are the only ornaments left: these were taken out of the vaults under the royal apartments. On the right hand of the Plaza de los Algibes, is a solitary gateway, formerly the entrance into some of the outward quadrangles thrown down by Charles the Fifth, to make room for his superb palace, which stands facing the *Torres de la campana*. This edifice is a perfect square of two hundred Spanish feet; it has two orders of pilasters, Doric and Ionic, upon a rustic base. The whole measures sixty-two feet from the top of the upper entablement to the ground. Three of the fronts are free from all other buildings; the fourth (that to the north) is joined and connected with the ancient palace of the Moorish kings. It was never finished, which is much to be regretted by all lovers of the fine arts, for there are few edifices more deserving of their admiration. The architect was Alonzo Verruguete, a native of Pa-redes de Navas, near Valladolid.

In

In this work he has discovered a most transcendent genius, grandeur of style, and elegance and chastity of design. How different from all that has been done for a century past in this kingdom! The doors are designed in a great manner; the bas-reliefs, figures, festoons, medallions, &c. are of excellent invention and execution; the ornaments of the cornices, windows, and capitals, are delicate, and suitable to the general effect. On the pedestals of the columns, that support the entablement of the great door, are reliefs on dark marble, that for polish might pass for bronze at a little distance; the Doric door in the south side, called El Zanguenete, pleased me greatly, as there is something simply elegant in the taste, and new in the ornamental part; the pediment is filled with a scroll thrown with great ease, on which is inscribed *Plusouire*, the motto of the Emperor, which he never failed introducing into every public work he undertook. You come, through an oblong vestibule, into the court which forms the center of the palace. It is an exact circle, of one hundred and forty-four feet diameter, round which runs a Doric colonnade, or portico, of thirty-two columns, supporting an upper gallery of an equal number of pillars, of the Ionic order. They are all of them of one entire block of reddish marble. The portico is nineteen feet wide, and serves as a communication with the stair-case, and the intended apartments, which are disposed round the court in various forms and proportions. The roof of the gallery is crumbling away very fast, and many of the columns are much damaged.

The apartments never had any other covering than the sky; and nothing but the matchless temperature of the climate could have saved this beautiful work so many years from total ruin. The magnificence, the unity of the whole pile, but, above all, the elegance of the circular court, quite transported me with pleasure, on the first view, and I have ever since found my admiration increase in proportion to the number of my visits.

Adjoining (to the north) stands a huge heap of as ugly buildings as can well be seen, all huddled together, seemingly without the least intention of forming *one* habitation out of them. The walls are entirely unornamented, all gravel and pebbles, daubed over with plaster by a very coarse hand; yet this is the palace of the Moorish kings of Granada, indisputably the most curious place within, that exists in Spain, perhaps in Europe. In many countries, you may see excellent modern as well as ancient architecture, both entire and in ruins; but nothing to be met with any where else can convey an idea of this edifice, except you take it from the decorations of an opera, or the tales of the Genii. I therefore look upon it to stand alone in its kind, and consequently think no excuse necessary, previous to my entering upon the dry detail I intend giving you of it.

Passing round the corner of the Emperor's palace, you are admitted at a plain unornamented door in a corner. On my first visit, I confess, I was struck with amazement, as I stepped over the threshold, to find myself on a sudden transported into a species of fairy-land.

The

The first place you come to, is the court called the *communa*, or *del mesfuar*, that is, the *common baths*: an oblong square, with a deep basin of clear water in the middle; two flights of marble steps leading down to the bottom; on each side a parterre of flowers, and a row of orange-trees. Round the court runs a peristyle paved with marble; the arches bear upon very slight pillars, in proportions and style different from all the regular orders of architecture. The ceilings and walls are incrustated with fret-work in stucco, so minute and intricate, that the most patient draughtsman would find it difficult to follow it, unless he made himself master of the general plan. This would facilitate the operation exceedingly, for all this work is frequently and regularly repeated at certain distances, and has been executed by means of square moulds applied successively, and the parts joined together with the utmost nicety. In every division are Arabic sentences of different lengths, most of them expressive of the following meanings, "There is no conqueror but God;" or, "Obedience and honour to our Lord Abouabdallah." The ceilings are gilt or painted, and time has caused no diminution in the freshness of their colours, though constantly exposed to the air. The lower part of the walls is mosaic, disposed in fantastic knots and festoons. A work so new to me, so exquisitely finished, and so different from all I had ever seen, afforded me the most agreeable sensations, which, I assure you, redoubled every step I took in this magic ground. The porches at the ends are more like grotto-work,

than any thing else I can compare them to. That on the right hand opens into an octagon vault, under the Emperor's palace, and forms a perfect whispering-gallery, meant to be a communication between the offices of both houses.

Opposite to the door of the *communa* through which you enter, is another, leading into the *Quarto de les leones*, or apartment of the lions, which is an oblong court, one hundred feet in length, and fifty in breadth, environed with a colonade seven feet broad on the sides, and ten at the end. Two porticos or cabinets, about fifteen feet square, project into the court at the two extremities. The square is paved with coloured tiles; the colonade with white marble. The walls are covered five feet up from the ground with blue and yellow tiles, disposed chequerwise. Above and below is a border of small escutcheons, enamelled blue and gold, with an Arabic motto on a bend, signifying, "No conqueror but God." The columns that support the roof and gallery are of white marble, very slender, and fantastically adorned. They are nine feet high, including base and capital, and eight inches and a half diameter. They are very irregularly placed, sometimes singly, at others in groups of three, but more frequently two together. The width of the horse-shoe arches above them is four feet two inches for the large ones, and three for the smaller. The ceiling of the portico is finished in a much finer and more complicated manner, than that of the *communa*, and the stucco laid on the walls with inimitable delicacy; in the ceiling it is so artfully frosted and handled,

as to exceed belief. The capitals are of various designs, though each design is repeated several times in the circumference of the court, but not the least attention has been paid to placing them regularly or opposite to each other. You will form a much clearer idea of their style, as well as dispositions, from the drawings, than from the most elaborate description I can pen: Not the smallest representation of animal life can be discovered amidst the varieties of foliages, grotesques, and strange ornaments. About each arch is a large square of arabesques, surrounded with a rim of characters, that are generally quotations from the Koran. Over the pillars is another square of delightful fillagree work. Higher up is a wooden rim, or kind of cornice, as much enriched with carving as the stucco that covers the part underneath. Over this projects a roof of red tiles, the only thing that disfigures this beautiful square. This ugly covering is modern, put on by order of Mr. Wall, the late prime minister, who a few years ago gave the Alhambra a thorough repair. In Moorish times the building was covered with large painted and glazed tiles, of which some few are still to be seen. In the center of the court are twelve ill-made lions muzzled, their fore-parts smooth, their hind-parts rough, which bear upon their backs an enormous basen, out of which a lesser rises. While the pipes were kept in good order, a great volume of water was thrown up, that, falling down into the basens, pas-

fed through the basens, and issued out of their mouths into a large reservoir, where it communicated by channels with the *jerdans* in the apartments. This fountain is of white marble, embellished with many festoons, and Arabic devices, thus translated:

"Sceft thou not how the water
"flows copiously like the Nile?"
"This resembles a sea washing
"over its shores, threatening ship-
"wreck to the mariners."
"This water runs abundantly,
"to give drink to the home."
"Terrible as the lion is our
"king in the day of battle."
"The Nile gives glory to the
"king, and the lofty mountains
"proclaim it."
"This garden is fertile in de-
"lights; God takes care that
"no noxious animal shall ap-
"proach it."
"The fair princess that walks
"in this garden, covered with
"pearls, augments its beauty so
"much, that thou may'st doubt
"whether it be a fountain that
"flows, or the tears of her ad-
"mirers*."

Passing along the colonade, and keeping on the south side, you come to a circular room used by the men as a place for drinking coffee and forbets in. A fountain in the middle refreshed the apartment in summer. The form of this hall, the elegance of its cupola, the cheerful distribution of light from above, and the exquisite manner in which the stucco is designed, painted, and finished, exceed all my powers of description. Every thing in it inspires the most

* This passage is very obscure in the Latin translation. I have endeavoured to make something of it, but it still remains a forced conceit.

pleasing, voluptuous ideas : yet in this sweet retreat they pretend that Abouabdoulah assembled the Abencerrages, and caused their heads to be struck off into the fountain. Our guide, with a look expressive of implicit faith, pointed out to us the stains of their blood in the white marble slabs ; which is nothing more than the reddish marks of iron-water in the quarry, or perhaps the effect of being long exposed to the air. Continuing your walk round, you are next brought to a couple of rooms at the head of the court, which are supposed to have been tribunals, or audience-chambers. In the ceiling are three historical paintings, executed with much strength, but great stiffness in the figures and countenances. One of them seems to be a cavalcade ; the other the entrance of some princess ; and the third a divan. When these were painted, and what they are meant to represent, I could not make out ; but our *Cicerone* naturally adapted them to the history of the Sultana and her four Christian knights. If they are representations of that doubtful story, they must have been painted in the Emperor's time, or a little before, for it cannot be supposed that Abouabdoulah would wish to perpetuate the memory of a transaction in which he bore so very weak and dishonourable a part. And besides, the anathema denounced by the Koran against all representations of living creatures, renders it next to impossible that these pieces should have existed previous to the conquest. The lions of the great fountain may be brought as an argument against my last reason ; and indeed they shew that

the Granadine princes, as well as some of the oriental caliphs, who put their own effigy on their coin, ventured now and then to place themselves above the letter of the law. Be this as it will, if the antiquity of these pictures can be proved to go as far back as the reign of Ferdinand, or at least the beginning of that of Charles, which I take to be no very difficult matter to make out, I should have much greater respect for the authority of Giles Peres than many think him entitled to. It can scarce be supposed that the events of the reign of Abouabdoulah could be so totally forgotten so soon after, that a painter should dare to invent a trial and combat, at which many still living in Granada might have assisted as spectators.

Opposite to the *Sala de los Abencerrages* is the entrance into the *Torre de las dos hermanas*, or the tower of the two sisters, so named from two very beautiful pieces of marble laid as flags in the pavement. This gate exceeds all the rest in profusion of ornaments and in beauty of prospect, which it affords through a range of apartments, where a multitude of arches terminate in a large window open to the country. In a gleam of sunshine, the variety of tints and lights thrown upon this enfilade are uncommonly rich. I employed much time in making an exact drawing of it from the fountain, and hope it will help you to comprehend what I am labouring to explain by my narrative. The first hall is the concert-room, where the women sat ; the musicians played above in four balconies. In the middle is a jet d'eau. The

Marble

marble pavement I take to be equal to the finest existing, for the size of the flags, and evenness of the colour. The two sisters, which give name to the room, are slabs that measure fifteen feet by seven and a half, without flaw or stain. The walls, up to a certain height, are mosaic, and above are divided into very neat compartments of stucco, all of one design, which is also followed in many of the adjacent halls and galleries. The ceiling is a fretted cove. To preserve this vaulted roof, as well as some of the other principal cupolas, the outward walls of the towers are raised ten feet above the top of the dome, and support another roof over all, by which means no damage can ever be caused by wet weather, or excessive heat and cold. From this hall you pass round the little myrtle-garden of Lindaraxa, into an additional building made to the east end by Charles V. The rooms are small and low: his dear motto, *Plus outre*, appears on every beam. This leads to a little tower, projecting from the line of the north wall, called *El tocador*, or the dressing-room of the sultana. It is a small square cabinet, in the middle of an open gallery, from which it receives light by a door and three windows. The look-out charming. In one corner is a large marble flag, drilled full of holes, through which the smoke of perfumes ascended from furnaces below; and here, it is presumed, the Moorish queen was wont to sit to fumigate and sweeten her person. The emperor caused this little pretty room to be painted with representations of his wars, and a great variety of grotesques, which appear to be co-

Vol. XXII.

pies, or at least imitations, of those in the loggie in the Vatican. They have been shamefully abused by idle scribblers; what remains shews them to have been the work of able artists. From hence you go through a long passage to the hall of ambassadors, which is magnificently decorated with innumerable varieties of mosaics, and the statues of all the kings of Granada. This long narrow antichamber opens into the *comarates* on the left hand, and on the right into the great audience-hall in the tower of *Comarates*, a noble apartment, thirty-six feet square, thirty-six high up to the cornice, and eighteen from thence to the center of the cupolas. The walls on three sides are fifteen feet thick, on the other side; the lower range of windows thirteen feet high. The whole hall is laid with mosaic of many colours, disposed in intricate knots, stars, and other figures. In every part are repeated certain Arabic sentences, the principal of which are the following:

"The counsel of God and a
"speedy increase, and give joy to
"true believers."

"Praise to God, and to his vic-
"gerent Nazar, who gave this
"empire, and to our king Abou-
"abdoulah, to whom be peace,
"elevation, and glory."

N. B. Nazar is an appellation of eminence, and supposed to mean the famous Emir-moumelia Jacob Almanzar.

"There is no God but God."

"Valour, success, and duration
"to our king Abulkaghagh, king
"of the Moors; God guide his
"state and elevate his power!"

"Praise be to God, for I en-
"liven this dwelling of princes
"with

“ with my beauty, and with my crown. I strike firm root; I have fountains of purest water, and handsome apartments; my inhabitants are lords of mighty puissance. May God, who guide his people, protect me, for I attend to the sayings of the holy! I am thus adorned by the hand and liberality of Abulhaghagh, who is a bright moon that casts forth his light over the face of heaven.”

These inscriptions, and many others dispersed over the palace, prove that there is very little of it remaining that is not the work of Abulhaghagh, or of Abouabdoulah.

Having thus completed the tour of the upper apartments, which are upon a level with the offices of the new palace, you descend to the lower floor, which consisted of bed-chambers and summer-rooms: the back-stairs and passages, that facilitated the intercourse between them, are without number. The most remarkable room below is the king's bedchamber, which communicated, by means of a gallery, with the upper story. The beds were placed in two alcoves, upon a raised pavement of blue and white tiles; but as it has been repaired by Philip V. who passed some time here, I cannot say how it may have been in former times. A fountain played in the middle, to refresh the apartment in hot weather. Behind the alcoves are small doors, that conduct you to the royal baths. These consist in one small closet with marble cisterns for washing children, two rooms for grown-up persons, and vaults for boilers and furnaces, that supplied the baths with wa-

ter, and the stores with vapours. The troughs are formed of large slabs of white marble; the walls are beautified with party-coloured earthen ware; light is admitted by holes in the coved ceiling.

Hard by is a whispering-gallery, and a kind of labyrinth, said to have been made for the diversion of the women and children.

One of the passages of communication is fenced off with a strong iron grate, and called the prison of the sultana; but it seems more probable that it was put up to prevent any body from climbing up into the women's quarter.

Under the council-room is a long slip, called the king's study; and adjoining to it are several vaults, said to be the place of burial of the royal family. In the year 1574, four sepulchres were opened; but, as they contained nothing but bones and ashes, were immediately closed again.

I shall finish this description of the Alhambra, by observing how admirably every thing was planned and calculated for rendering this palace the most voluptuous of all retirements; what plentiful supplies of water were brought to refresh it in the hot months of summer; what a free circulation of air was contrived, by the judicious disposition of doors and windows; what shady gardens of aromatic trees; what noble views over the beautiful hills and fertile plains! No wonder the Moors regretted Granada; no wonder they still offer up prayers to God every Friday for the recovery of this city, which they esteem a terrestrial paradise.

Of the Cathedral Church of Burgos, and of the Origin of Gothic Architecture. From the same.

THE cathedral is one of the most magnificent structures of the Gothic kind, now existing in Europe; but although it rises very high, and is seen at a great distance, its situation in a hole cut out of the side of the hill, is a great disadvantage to its general effect. Its form is exactly the same as that of York-minster, which I look upon to be the criterion according to which the beauties or defects of every gothic church are to be estimated. At the western or principal front are two steeples ending in spires, and on the center of the edifice rises a large square tower, adorned with eight pinnacles; on one side of the east end is a lower octagon building, with eight pyramids, which correspond exactly to the Chapter-house at York. We were struck with the resemblance between these buildings; both were embellished with a profusion of statues; most of those at York were destroyed in the first emotions of iconoclastic zeal: those of Burgos are still in full possession of the homages of the country, and consequently entire; several of them are much more delicate than one would expect, considering the age they were sculptured in. Santiago, the patron of this cathedral, stands very conspicuous on his war-horse among the needles of the main steeple; and the Virgin Mary is seated in solemn state over the great window of the west porch. The foliage-work, arches, pillars, and battlements, are executed in the most elaborate and finished

manner of that style which has usually been called *Gothic*; of late this appellation is exploded, and that of *Arabic* substituted for it. I confess, I see some reason to doubt of the propriety of this second epithet. In the buildings I have had opportunities of examining in Spain and in Sicily, which are undoubtedly Saracenic, I have never been able to discover any thing like an original design, from which the Gothic ornaments might be supposed to be copied. The arches used in our old cathedrals are pointed; those of the Saracens are almost semi-circular; whenever they are not turned in the form of an horse-shoe. The churches of our ancestors shoot up into spires, towers, pinnacles and filligree work, and no such thing as a cupola seems ever to have been attempted; the mosques and other buildings of the Arabians, are rounded into domes and covered roofs, with now and then a slender square minaret terminating in a ball or pine-apple; the Arabic walls shine with painted tiles, mosaics, and stucco, none of which ever appear in our ancient edifices; the pillars in the latter are generally grouped many together, and from a very small member of an entablature springs one or two arches; in the former, the columns stand single, and if placed more than one together to support some heavy part, they never touch, or as it were grow into each other; there is always a thick architrave at least to support the arch, and commonly an upright piece of wall to resist the lateral pressure. Whenever it happens, as in the great divisions of the mosque at Cordova, that four pillars are

joined together, it is by means of a square wall or pier, at the four angles of which are placed the columns, perfectly separated and distinct. In all the varieties of capitals I have taken drawings of, I never found one exactly the same in design or proportions, as our Gothic ones in the churches of England, or in those of France, at least such as I have examined; viz. Saint Denis, Amiens, Rouen, Bordeaux, Tours, and others. The Christian structures are extremely lofty, and full of long windows with painted glass; the porches and doors are deep recesses, with several arches one within another, crowded with little saints and angels. Now every thing is different in the mosque of Cordova, the only one I have ever seen, but which I think may be fairly deemed a proper sample of Arabian sacred architecture, to establish a judgment upon; whether we consider its antiquity, being built before the ninth century; its present state, which, some parts excepted, is exactly as it was a thousand years ago; or lastly the princely hands that raised it. It was erected by Abdoulrahman the first, probably upon the designs, and under the inspection of the ablest architects of the age, and according to the method of distribution observed in holy edifices built in Arabia and Egypt. Here, and I have reason to think it is so in most, if not all, mosques, the elevation of the roof is trifling, not a seventeenth part of the length of the iles; there are no windows of any size, and what there are, are covered with filigree-work in stone, so as never to admit any great quantity of light,

which was received from sky-lights and cupolas, and from the occasional opening of the doors: the sinking back of the arches over the gates is scarce perceptible, as they are almost of an equal projection with the wall of the building. From all these differential marks, I am inclined to suspect that our old structures have been new-named, and Mahometanised without sufficient proof of their Arabic origin. At the same time I acknowledge it is difficult to find them a more satisfactory and genuine pedigree.

The best age of that style of construction began in England in the reign of Henry the third, for till then we built in the clumsy manner called Saxon, destitute of every recommendation but solidity; the new taste came in all probability from France, introduced by some Provençals that followed the Queen. If you suppose it imported into that kingdom by those that returned from the crusades, we must of course set it down as an eastern invention. The question is, what part of the east it came from, and whether it was the same as that employed by the Arabians. If there were clear proofs of its being a branch of the Arabic architecture, it would still appear extraordinary, that its very first introduction into Christendom should be attended with so great a variation from the models it was meant to imitate; and that any prince or learned priest that thought it worthy of being employed in his country, should immediately set about new fashioning it in all its points. We may, if we please to indulge our fancy, say that some sublime genius

nus started out from the dusty gloom of a monastic library, altered and improved upon the hints he found in books of Arabian architecture, substituted bold and astonishing ideas of his own; found bishops, princes, and abbots, willing to adopt them; and built churches in a style entirely new, and apparently original. We may suppose him to have formed a school of other monks, the only architects of those ages among the Christians; and that these pupils gradually new modelled the precepts of their master, and reduced his method to certain rules; which afterwards served as guides through all the fantastic mazes of our ecclesiastical architecture. Some persons have suspected it to have been the manner practised by the eastern Christians, and not adopted by the Arabs; who might disdain to have any thing similar in their places of worship, with those of a conquered people. Others have been of opinion, that it comes originally from Persia, or further east; and some again maintain it to be an European invention, or at least a barbarous mode of building brought by some great genius to the elegant perfection we behold in our cathedrals. The argument would require a great number of comparisons, confrontations, and combinations, to find out the connection between the two manners: such a disquisition belongs more properly to a treatise than to a letter, of which it has already engrossed too large a share.

able Daines Barrington. In a Letter to the Honourable Mr. Justice Blackstone.

Dear Sir,

AS I know you are somewhat interested with regard to the period when those useful measures of time called clocks were first made, I send you the result of my inquiries on that head, after having consulted most of those treatises which might be supposed to furnish material information.

Earlier instances might be produced from these authorities of *Horologia* in different parts of Europe; but this word signifying in those centuries *dials* as well as *clocks*, nothing decisive can be inferred from such term, unless from other circumstances, or expressions, it can be shewn to relate to a clock rather than a dial.

Dante seems to be the first author who hath introduced the mention of an *orologio*, which struck the hour (and consequently cannot be a dial), in the following lines:

"Indi come horologio che se chiama,
"Nel hora che la sposa d'Idio surge,
"Amattinar lo sposo, perche l'ami."

Dante. Paradiso, C. 3.

Now Dante was born in 1265, and died in 1321, aged 57; therefore striking clocks could not have been very uncommon in Italy at the latter end of the 13th century, or the very beginning of the 14th.

But the use of clocks was not confined to Italy at this period; for we had one of these artists in England precisely about the same time, who furnished the famous clock-house near Westminster-hall, with a clock to be heard by the courts

Observations on the earliest Introduction of Clocks; by the Honour-

courts of law, out of a fine imposed on the Chief Justice of the King's Bench in the 16th year of Edward I, or A. D. 1288*.

You have in your Commentaries † observed, that this punishment of Radulphus de Hengham is first taken notice of in the Year Book ‡ during the reign of Richard III, where indeed no mention is made of a clock's being thus paid for; but if the circumstances stated in the report of this are considered, it was highly unnecessary, and perhaps improper, to have alluded to this application of the Chief Justice's fine.

It appears by the Year Book, that Richard III. had closeted the Judges in the Inner Star Chamber, to take their opinions upon three points of law; the second of which was, "whether a Justice of the Peace, who had inrolled an indictment which had been negatived by the Grand Jury, amongst the *true bills*, might be punished for this abuse of his office."

On this question a diversity of opinion arises amongst the judges, some of which suppose, that a magistrate cannot be prosecuted for what he may have done; whilst others contend, that he may, and cite the case of Hengham, who was fined 800 marks for making an alteration in a record, by which a poor defendant was only to pay 6s. 8d. instead of 13s. 4d.

Thus far the answer of the judges to the question proposed was strictly proper; but the application of the fine to the building a clock-house ¶ was not the least material; besides that it was probably a most notorious fact to every student upon his first attending Westminster-hall, as we find Judge Southcote so much later, in the early part of Queen Elizabeth's reign, not only mentioning the tradition, but that the clock still continued there, which had been furnished out of the Chief Justice's fine §. Sir Edward Coke likewise adds, that the 800 marks were actually entered upon the roll †, so that it is highly probable he had himself seen the record.

On the side of New Palace-yard which is opposite to Westminster-hall, and in the second pediment of the new buildings from the Thames, on the exact spot, according to Strype, where the clock-house stood, a dial is inserted with this remarkable motto upon it, "*Discite Justitiam Moniti*," which seems most clearly to relate to the fine imposed on Radulphus de Hengham, being applied to the paying for a clock.

Mr. Norris, Secretary of the Society of Antiquaries, hath been likewise so obliging as to refer me to the following instance of a very ancient clock in the same century;

* See Selden in his Pref. to Hengham,

† Vol. III. p. 408.

‡ Mich. 2. Ric. 3.

¶ We find that this clock was considered during the reign of Henry VI. to be of such consequence, that the King gave the keeping of it, with the appurtenances, to William Warby, Dean of St. Stephen's, together with the pay of 6d. per diem, to be received at the Exchequer.

§ 3 Inst. p. 72.

† 4 Inst. p. 255.

"Anno 1292, *Novum Orologium Magnum in Ecclesiâ (sc. Cantuariensi) pretium 30l.*"

I shall now produce a proof, that not only clocks but watches were made in the beginning of the 14th century.

Seven or eight years ago, some labourers were employed at Bruce Castle in Fifeshire, where they found a watch, together with some coin; both of which they disposed of to a shopkeeper of St. Andrews, who sent the watch to his brother in London, considering it as a curious piece of antiquity*. The outer case is of silver, raised, in rather a handsome pattern, over a ground of blue enamel; and I think I can distinguish a cypher of R. B. at each corner of the chased work. On the dial-plate is written, *Robertus B. Rex Scottorum*, and over it is a convex transparent horn, instead of the glasses which we use at present.

Now Robertus B. Rex Scottorum can be no other King of Scotland than Robert Bruce, who began his reign in 1305; and died in 1328; for the Christian name of Baliol who succeeded him was Edward; nor can Robertus B. be applied to any later Scottish King.

This very singular watch is not of a larger size than those which are now in common use; at which I was much surprised, till I had seen several of the 16th century

in the collection of Sir Ashton Lever, and Mr. Ingham Forster, which were considerably smaller.

As I mean to deduce the progress of the art of clock-making in a regular chronological series, the next mention I find of *Horologia*, is in Rymer's *Fœdera*, where there is a protection of Edward the Third, A. D. 1368, to three Dutchmen, who were *Orologieri*. The title of this protection is, "*De Horologiorum Artificio exercendo.*" Mr. B. remarks upon the following lines of Chaucer †, when he speaks of a cock's crowing,

"Full sikerer was his crowing in his loge
"As is a clock, or any abbey orloge."

that in the 14th century, clock was often applied to a bell, which was rung at certain periods, determined by the hour-glass or sundial: but that the *abbey orloge* (or clock) could not have been uncommon when Chaucer wrote these lines.

I now pass on to a famous astronomical clock, made by one of our countrymen in the reign of Richard the Second, the account of which I have extracted from Leland.

Richard of Walsingford was son of a smith, who lived at that town, and who, from his learning and ingenuity, became abbot of St. Alban's. Leland proceeds, "*cum jam per amplas licebat fortunæ,*"

* It is now in his Majesty's possession.

† Chaucer was born A. D. 1328, and died in 1400.

‡ To the time of Queen Elizabeth, clocks were often called orologes;

"He'll watch the *borologe* a double fit,

"If drink rock not his cradle."

Othello, act ii. sc. 3.

The clock of Wells cathedral is also to this day called the *borologe*.

“ voluit illustri aliquo opere, non modo ingenii, verum etiam eruditionis, ac artis excellentis, miraculum ostendere. Ergo talem *horologii* fabricam magno labore, majore sumptu, arte vero maximâ, compegit, qualem non habet tota Europa *meâ opinione*, secundum, sive quis cursum solis ac lunæ, seu fixa sidera notet, sive iterum maris incrementa & decrementa*.”

Richard of Walingford also wrote a treatise on this clock, “ Ne tam insignis machina vilesceret errore monachorum, aut incognito structuræ ordine, fiesceret.”

From what hath been above stated it appears, that this astronomical clock continued to go in Leland's time, who was born at the latter end of Henry the Seventh's reign, and who speaks of a tradition, that this famous piece of mechanism was called *Albion* by the inventor.

Having now produced instances of several clocks, and even a watch, which were made in different parts of the 14th century, as also having endeavoured to prove that they were not excessively uncommon even in the 13th, it may be thought necessary that I should account for their not being more generally used during these periods, as, in their present state at least, they are so very convenient. For this, it should seem, that many reasons may be assigned.

In the infancy of this new piece of mechanism, they were probably of a very imperfect construction, perhaps never went tolera-

bly, and were soon deranged, whilst there was no one within a reasonable distance to put them in order.

We find, therefore, that Henry the Sixth of England, and Charles the Fifth of France, appointed clock-masters, with a stipend, to keep the Westminster and Paris clocks in order.

It need scarcely be observed also, that as the artists were so few, their work must have been charged accordingly, and that Kings only could be the purchasers of what was rather an expensive toy, than of any considerable use. And it may perhaps be said, that they continued in a great measure to be no better than toys till the middle of the 17th century.

Add to this, that in the 13th and 14th centuries, there was so little commerce, intercourse, or society, that an hour-glass, or the sun, was very sufficient for the common purposes, which are now more accurately settled by clocks of modern construction. Dials and hour-glasses likewise wanted no mending.

Having now finished what hath occurred to me with regard to the first introduction of clocks, I shall conclude by a few particulars, which I have been enabled to pick up, in relation to those more portable measurers of time, called *watches*, the earliest of which (except that of Robert Bruce King of Scotland) seems to be one in Sir Ashton Lever's most valuable museum, the date upon which is 1541 †.

Derham

* Leland de Script. Brit.

† The oldest clock we have in England that is supposed to go tolerably, is of the preceding year, viz. 1540, the initial letters of the maker's name being

Derham (in his *Artificial Clock-maker*, published in 1714) mentions a watch of Henry the Eighth, which was still in order; and Dr. Demainbray informs me, that he hath heard both Sir Isaac Newton and Demoiivre speak of this watch*.

The Emperor Charles the Fifth (Henry's contemporary) was so much pleased with these time-measurers, that he used to sit after his dinner with several of them on the table, his bottle being in the center; and when he retired to the monastery of St. Just, he continued still to amuse himself with keeping them in order, which is said to have produced a reflection from him on the absurdity of his attempt to regulate the motions of the different powers of Europe.

Some of the watches used at this time seem to have been strikers; at least we find in the *Memoirs of Literature*, that such watches having been stolen both from Charles the Fifth and Lewis the Eleventh, whilst they were in a crowd, the thief was detected by their striking the hour.

In most of the more ancient watches (of which I have seen

several in the collection of Sir Ashton Lever and Mr. Ingham Forster) catgut supplied the place of a chain, whilst they were commonly of a smaller size than we use at present, and often of an oval form†.

From these and probably many other imperfections they were not in any degree of general request till the latter end of Queen Elizabeth's reign; accordingly in *Shakespeare's Twelfth Night* Malvolio says,

"I frown the while, and peer—
"chance *wind up my watch*, or
"play with some rich jewel."

Again, in the first edition of Harrington's *Orlando Furioso* (printed in 1591), the author is represented with what seems to be a watch, (though the engraving is by no means distinct), on which is written,

Il tempo passa.

In the 3d of James the First, a watch was found upon Guy Fawkes, which he and Percy had bought the day before, "to try conclusions for the long and short burning of the touchwood, with which he had prepared to give fire to the train of powder."

being N. O. It is in the palace at Hampton Court. Derham's *Artificial Clock-maker*.

* That distinguished antiquary Mr. Walpole has in his possession a clock, which appears by the inscription to have been a present from Henry the Eighth to Anne Boleyn. Poyntet, Bishop of Winchester, likewise gave an astronomical clock to the same King. Godwyn de Praeful.

† Pancirollus informs us, that about the end of the 15th century, watches were made no larger than an almond, by a man whose name was Mermecide. *Encyclop.*

‡ In Archbishop Parker's will, made April 5, 1575, is the following legacy:

"Do, et lego fratri meo Ricardo episcopo Eliensi, baculum meum de canna
"Indica, qui *Horologium* habet in summitate."

As likewise in the brief of his goods, &c. "A clock, valued at 54*l.* 4*s.*"

In

In 1631 Charles the first incorporated the clock-makers; and the charter prohibits *clocks, watches, and alarms*, from being imported, which sufficiently proves that they were now more commonly used, as well as that we had artists of our own, who were expert in this branch of business.

About the middle of the 17th century, Huygens made his great improvement in clock-work, which produced many others from our own countrymen; the latest of which was the introduction of repeating watches in the time of Charles the Second, who, as I have been informed by the late Lord Bathurst, sent one of the first of these new inventions to Lewis XIV.

The former of these Kings was very curious with regard to these time-measurers; and I have been told by an old person of the trade, that watch-makers (particularly East) used to attend whilst he was playing at the Mall, a watch being often the stake.

But we have a much more curious anecdote of royal attention to watches in Dr. Derham's Artificial Clock-maker.

Barlow had produced a patent, in concert with the Lord Chief Justice Allebone, for *repeaters*; but Quare making one at the same time upon ideas he had entertained before the patent was granted, James the Second tried both, and giving the preference to Quare's, it was notified in the Gazette.

In the succeeding reign, the reputation of the English work in this branch was such, that in the year 1698, an act passed, obliging the makers to put their names on

watches, lest discreditable ones might be sold abroad for English.

If any of these particulars, or anecdotes, should prove interesting to you, it will amply recompence the trouble I may have had in collecting them; being,

Dear Sir,

Your most faithful
humble Servant,

DAINES BARRINGTON.

*Account of the Eisteddfod or Sessions
of the Bards and Minstrels.*

[From Pennant's Tour through Wales.]

THE particular glory of the town of *Caerwys*, was the honour it had of being the place of the *Eisteddfod*, or the sessions of the bards and minstrels for many centuries. It was the resort of those of a certain district; as *Aberfraw* in *Anglesea* was of those of that island, and the neighbouring county; and *Matbraval* of those of the land of *Powys*. The reason that these places were thus distinguished, was, because the two last were the residence of Princes; and *Caerwys*, on account of the royal palace that stood below the town, the residence of *Llewelyn ap Gryffydd*.

These *Eisteddfods* were the *British Olympics*. Fired at first with generous emulation, our poets crowded into the list, and carried off the prize, contented with the mere honour of victory. At length, when the competitors became numerous, and the country became oppressed with the multitude, new regulations of course took place. The disappointed candidates were

no longer suffered to torture the ears of the principality with their wretched compositions. None but bards of merit were suffered to rehearse their pieces; and minstrels of skill, to perform. These went through a long probation: judges were appointed to decide on their respective abilities; and degrees suitable were conferred, and permissions granted for exercising their talents, in the manner that will be related in the following pages. The judges were appointed by commission from our Princes; and after the conquest of *Wales*, by the Kings of *England*, notwithstanding, *Edward I.* exercised a political cruelty over the generation of bards of his time; yet future princes thought fit to revive an institution so likely to soften the manners of a fierce people. The crown had the power of nominating the judges, who decided not only on the merit, but the subject of the poems; and, like our modern Lord Chamberlains, were certain of licensing only those which were agreeable to the *English* court.

It is highly probable, that the bards and minstrels were under certain regulations during the time of *Druidism*; but we find no proofs of them till long after; till the days of *Cadwaladr*, last King of *Britain*, who died at *Rome* about the year 688. Of him it is said, that being at an assembly of this nature, with his nobles, there came a minstrel, and played in a key so displeasing, that he and all his brethren were prohibited, under a severe penalty, from ever playing

on it any more; but were ordered to adopt that of *Mwynen Gwynedd*, or the sweet key of *Gwynedd* *.

I imagine, that previous to this, there had been musical regulations in *Britain*; for I find that a tune, called *Gofteg yr Halen*, or the *Prelude of the Salt*, was always played whenever the salt-seller was placed before King *Arthur's* knights, at his round table †.

After *Cadwaladr*, the next Princes who undertook the reform of our minstrelsie, were *Bladyn ap Cynfyn* and *Gryffydd ap Cynan*. The first was cotemporary with the conqueror; the last with King *Stephen*. These enacted, that no person should follow the profession of bard or minstrel, but such only who were admitted by the *Bispeddŷol*, which was held once in three years. They were prohibited from invading one another's province: nor were they permitted to degrade themselves by following any other occupation. Neither of these were to demand above ten shillings in any article, under pain of losing the whole, besides being suspended from their profession for three years ‡.

After the times of the princes, the great men, their descendants, took these people under their care and protection, allowing them the liberty of circuiting their respective territories thrice a year, viz. at *Christmas*, *Easter*, and *Whitsun-side*; and the whole principality once in three years.

The bards were in the highest repute. I cannot give a stronger idea of the esteem they were in, than by citing from the *Welsh*

* North Wales, Wallicæ; 35.

† Mr. Morris's MSS. of British music.

‡ Leges laws,

laws, the account of their rank in the prince's court, and the various rewards and fees they were entitled to, and the severe penalties that were enacted to preserve their persons from insult. They were supposed to be endowed with powers equal to inspiration. They were the oral historians of all past transactions, public and private. They related the great events of the state; and, like the *scalds* of the northern nations, retained the memory of numberless transactions, which otherwise would have perished in oblivion. They were likewise thoroughly acquainted with the works of the three primary bards, *viz.* Myrddyn ap Morfryn, Myrddyn Emrys, and Taliessin ben Beirdd. But they had another talent, which probably endeared them more than all the rest to the *Welsh* nobility; that of being most accomplished genealogists, and flattering their vanity, in singing the deeds of an ancestry derived from the most distant period.

The Bardd Teulu, or Court Bard, held the eighth place in the Prince's court. He possessed his land free. The prince supplied him with a horse and woollen robe, and the princess with linen*. He sat next to the governor of the palace at the three great festivals; for, at those seasons, the governor was to deliver him his harp†. On the same festivals, he was also to have the *Disgairn's*, or steward of the household's garment for his fee.

When a song is called for, the *Cadeir fardd*, or the bard who has got the *badge of the chair*, is first

to sing a hymn in glory of God; after that, another in honour of the prince. When those are over, the *Teuluwr*, or bard of the hall, is to sing some other subject.

If the princess calls for a song after she has retired from table to her apartment, the *Teuluwr* must sing to her highness in a low voice, least he should disturb the performers in the hall. *John Dafydd Rhys* says, that the subject was to be on death; but I rather follow *Wotton*, who, instead of *angau*, which signifies *death*, prefers the word *amgen*, or a *separate subject* from what was sung in the hall.

When the bard goes with the prince's servants on a plundering expedition, and performs before them his animating compositions, he is to have the finest heifer of the booty; and in case the detachment was drawn up in order of battle, he was to sing at their head, the *praises of the British monarchy*. This was to remind them of their ancient right to the whole kingdom; for their inroads bring almost always on the *English* territories, they thought they did no more than seize on their own.

The prince bestowed on him an ivory chess-board; others say a harp: and the princess a golden ring. His lodging was to be with the governor of the palace.

When he is required to sing with other bards, by way of distinction, he is to have a double portion.

If the bard asks any favour of the prince, he must sing one of his compositions: if of a nobleman, three: if of a common person, he must sing till he is so weary as to rest on his elbow, or

* Leges Wallicæ, 35.

† The same, 35, and 16.

to fall asleep. This, I fear, shews our bards were a very importuning race, and required a check; yet still they were in high estimation. Their *Gwerth*, or compensation for their life, was rated at cxxvi cows*, and any injury done them, at vi cows and cxx pence.

The *Merch-Gobr* of his daughter, or marriage fine of his daughter, was cxx pence. Her *cowyll*, *argyffreu*, or nuptial presents, was thirty shillings; and her portion three pounds†. It is remarkable, that the *Pencerdd Gwlad*, or chief of the faculty, was entitled to the *merch-gobr*, or *amobr* for the daughters of all the inferiors of the faculty within the district, who payed xxiv pence on their marriage; which not only shews the antiquity, but the great authority of these people.

The *Pencerdd* was not among the † officers, of the court: but occasionally sat in the tenth place. He also had his land free; was to perform much in the same manner as the court bard, whom he seems to have taken place of, whenever he attended; for, when the *Pencerdd* was present, the former sat only in the twelfth seat. No other was to play without license from him. His death was valued at cxxvi cows; and any injury done him, at vi cows, and cxx pence. Each of the chief musicians was to receive from their lord, the first, a harp; the second, a *crwth*; the third, a pipe; which, on their deaths, were to revert to the lord||.

The prince's harp was valued at cxx pence, and that of *Pencerdd* at the same; the key at xxiv pence:

a gentleman's harp was estimated at lx pence.

A commission for holding an *Eisteddfod* at *Caerwys*, in 1568, is still in possession of Sir *Roger Moseley*, together with the silver harp; which had from time immemorial been in the gift of his ancestors, to bestow on the *chief of the faculty*. This badge of honour is about five or six inches long, and furnished with strings equal to the number of the muses. The commission is the last of the kind which was granted; and is in form following:

BY THE QUEEN.

ELIZABETH, by the grace of God, of England, France, and Ireland Queen, defender of the faith, &c. to our trustie and ryght wel beloved Sir *Richard Bullock* knight, Sir *Rees Gruffyth* knight, *Ellice Price* esquire, Doctor in cyvill lawe, and one of our counsaill in in our marches of Wales, *William Mostyn*, *Jevan Lloyd* of Yale, *Joh Salusbury* of Ruge, *Rees Thomas*, *Maurice Wynne*, *Willm Lewis*, *Peres Mostyn*, *Owen Jhn ap Holl Vangham*, *John Willm ap John*, *John Lewis Owen*, *Moris Gruffyth*, *Symond Thelvall*, *Ellice ap Wm Lloyd*, *Robt Paleston*, *Harry Aperry*, *William Glynn*, and *Rees Hughes*, esquires, and to every of them, greeting. Whereas it is come to the knowledge of the Lorde President and other of said counsaill in o' marches of Wales, that vagraunt and idle psons, naming themselves mynstrells, rithmors, and barthes, are lately growen into such an intollerable

* Leges Wallicæ, 37.
Wallicæ, 68.

† Ibid. 37.

‡ Ibid. 68.

§ Leges
multi-

multitude wthin the principalities of *Northwales*, that not only gentlemen and others, by their shameles disorders, are oftentimes disquieted in their habitacions; but also the expert myntrells and musicians in toune and contry thereby much discouraged to travail in the exercise and practize of their knowledge; and also not a litle hyndred in their lyvings and p^{er}form^{ts}. The reformation whereof, and the putting of these people in ord^r, the said Lorde President & counsaill have thought verie necessarye, and knowing you to be men both of wysdome and upright dealing, and also of experience and good knowledge in the science, have apointed and authorized you to be comissioners for that purpose. And forasmuch as o^r said counsaill of late, travayling in some pte of the said principalities, had p^{er}fect understanding or credible report, that the accustomed place for the execution of the like comission, hath bene hertofore at *Caroyes* in our countie of *Fflyn*; and that *William Mestyn* esquier, and his ancestors have had the gyfte and bestowing of the sylver harpe appoynting to the cheff of that facultie, and that a yeares warning at the least hath been accustomed to be geaven of thassemblies and execution of the like comission. Our said counsaill have, therefore, apoynted the execution of this comission to be at the said towne of *Caroyes*, the *Monday* next after the feast of the blessed Trynitee, w^{ch} shall be in the yeare of o^r Lorde God 1568.

And therefore we require and comand you, by the auctoritee of these p^{re}sents, not only to cause

open p^{re}laciones to be made in all ffayors, m^{ar}ketts, townes, and other places of assembly wthin our counties of *Angleze*, *Cararom*, *Meryoneth*, *Denbigh*, and *Ffyn*, that all and ev^{er} p^{er}son and p^{er}sons that entend to maynteigne their lyvings by name or color of mystrells, rithm^{ers}, or barthes, wthin the Talairb of *Aberffrowe*, compeheading the said fyve shires, shal be and appeare before you the said daye and place; to shewe their learnings accordingly: but also that you, xxth, xixth, xviiith, xviith, xvith, xvth, xiiiith, xiiith, xiith, xith, xth, ix, viii, vii, or vi of you, whereof yone, *S^r Richard Bulkeley*, *S^r Rues Gruffyth*, *Ellias Price*, and *W^m Mestyn*, Esquier, or iiith or ii of you, to be of the nomb^r to repayre to the said place the daye aforesaid, and calling to you such expert men in the said facultie of the *Welsh* musick, as to you shall be thought convenient to p^{re}cede to the execution of the p^{re}miss^{es}, and to admytt such and so many as by your wisdomes and knowledges you shall synde worthy into and und^r the degrees heretofore in semblable sort, to use exercise and solowe the sciences and facultes of their p^{re}fessyons in such decent ord^r as shall apptaine to eche of their degrees, and as yo^r discrecons and wisdomes shall p^{re}scribe unto them, geaving straight monyc^{ons} and comaundm^{ts} in o^r name and on o^r behalf to the rest not worthy that they retourne to some honest labor and due exercise, such as they be most apte unto for mayntenance of their lyvings, upon paine to be taken as sturdy and idle vacaboundes, and to be used according to the lawes and statutes p^{ro}vided in that

that behalf, letting you wyth o^r said counsaill look for advertisem^t by due certificatt at your handes of yo^r doings in the execut^on of the said pmis^s. For seeing in any wise that upon the said assembly the peas and good order be observed and kept accordingly, asertayning you that the said *Willm Mofyn* hath pmised to see furnytare and things necessary pvided for that assembly at the place asorfaid. Geven under o^r signet at o^r citie of *Chester* the xxliith of *October*, the nyynth yeare of o^r raigne.

Signed her Hignes counsaill,
in the m^ches of WALES.

In consequence, an *Eisteddfod* was held on the 26th of *May* following: and on this occasion fifty-five persons received their degrees.

Four were created chief bards of vocal song.

Seven — primary students of vocal song.

Three — secondary students of vocal song.

Three — probationary students of vocal song.

INSTRUMENTAL MUSIC.

HARP.

Three were created chief bards and teachers of instrumental song.

Five — chief bards (but not teachers) of instrumental song.

Four — primary students of instrumental song.

Five — secondary ditto.

Three — probationary students of instrumental song.

CRWTH.

Two were created chief bards and teachers of instrumental song.

Four — chief bards (but not teachers) of instrumental song.

One — primary student of instrumental song.

Seven — secondary students of instrumental song.

Four — probationary students of instrumental song.

It must be observed, that players on crwths with three strings, tabors, and pipers, were reckoned among the ignoble performers: they were not allowed to sit down, and had only a penny for their pains.

The different degrees were comprehended in this list. There were four in the poetical, and five in the musical faculty. The lowest, or more properly what should be called a candidate or probationer, was *Y Dyscybl Yspâs*, or the *lowest disciple*, who was obliged (if a candidate for poetry) to understand the contraction of five species of *Englyn*, and to compose them before a *Pencerdd*, who was to declare upon his conscience, that he was endowed with a true poetical genius. After this he commenced

Dyscybl Dyscyblaidd, *Discipulus disciplinabilis*: here he becomes a graduate; but must understand twelve of our different metres, and produce specimens of each of his own composition; and if in three years time he does not, by his merit, acquire the next degree, he is degraded from this. If he succeeds, he then proceeds to the degree of

Dyscybl Penceirddiaidd, or candidate for degree of *Pencerdd*, when he must understand the propriety of expressions, and the different metres, and compose in twenty-one species; and if in three years he does not attain by his own merit to the next degree, he falls back into that of *Dyscybl dyscyblaidd*; otherwise he becomes a

Penbardd

Penbardd or Pencerdd, chief of the faculty as was candidate in; when it is necessary he should be accomplished in every branch of his art. He then received the badge of the silver harp; or that of a golden or silver chain, which he wore upon his shoulder. He also was placed with much ceremony on a magnificent chair, part of the furniture mentioned in the patent; was there invested with his degree; and then acquired the honourable name of *Cassidydd*, or *Bardd cadwriawg*.

In instrumental music there were five degrees; which differ nothing from those in the other faculty, except in the two lowest: 1. the *Dyddyl yddas osh radd*, or without a degree; 2. *Dyddyl yddas grad-dawl*, or graduated; 3. *Dyddyl dyddylaidd*; 4. *Dyddyl pencerddiaidd*; 5. *Pencerdd*. These, like the others, were to be attained by their respective merits in the science; but as their qualifications are expressed in technical terms of British music, it is past my skill to give an explanation. None but a *Pencerdd* should presume to become an instructor. The chief of our days, is that uncommon genius, the blind Mr. John Parry of Rhiwabon, who has had the kingdom for his *Cyleb clera*, or musical circuit, and remains unrivalled.

Our *Pencerdds* thus qualified, were licensed to sing, or to perform under certain restrictions. By the law of our princes, particular regard was paid to their morals: They were to be no make-bates, no vagabonds, no ale-house haunters, no drunkards, no brawlers, no whore-hunters, no thieves, nor companions of such;

‘in which things, if they offend, every man, by the statute, is made an officer, and authorized to arrest and punish them; yea, and to take from them all that they have about them*.’

They were prohibited from uttering any scandalous words in speech or whispers; detraction, mocking, scoffing, inventing lies, or repeating them after others, under pain of fine and imprisonment: nor were they to make a song of any person without his consent; nor to enter any man's house without formal leave first obtained.

Every *Penbardd* and *Pencerdd* was allowed to take in disciples for a certain space of time, but not above one at a time. A disciple was not qualified to make another. Each was to be with his teacher during *Lent*, unless prevented by sickness or imprisonment, under pain of losing his degree. He was obliged to shew every composition to his teacher before it was publicly sung. They were not to follow the practice of *cler y dom*, i. e. dunghill bards and musicians, or any other species of vagabond minstrels. They were enjoined a month before each festival, to settle their routs with their respective teachers, lest too many of them should crowd to the same places; only one being allowed to go to a person who paid ten pounds a year rent; and two to such who payed twenty pounds, and so on in proportion to those of higher rank: and every teacher was obliged to keep a copy of these rules, to shew and inculcate to his pupils in time of *Lent*, when they came for their instructions.

* Powel, 192.

No person was to mimic, mock, or scoff at the *awenyddion* on account of their mental absence, or when they had on them the *awen* or *poeticus furor*; from an opinion that no bard, duly authorized, could ever meditate on improper subjects.

To whatsoever house they came in the time of wakes, they must remain there while the feasting lasted; unless they had leave from the master of the house, or were invited by another. If they wandered from house to house, they were to be apprehended as strollers and vagabonds, and to be deprived of their *clera**, which was forfeited to the use of the church. If they got intoxicated, they forfeited their reward: but if they violated the chastity of wife or maid, they were fined and imprisoned, and lost their *clera* for seven years.

Their fees or rewards were regulated. A *dyfgybl dyfgyblaidd* was entitled to 3*s.* 4*d.* for his *corydd*.

A *dyfgybl penceirddiaidd*, received for the same species of composition 6*s.* 9*d.*

His teacher, or the *Pencerdd*, had no more; only the master of the house usually presented him with a garment, or some other mark of favour.

The minstrels received these rewards; a *dyfgybl yspas graddawol* had only 1*s.* upon each of the great festivals.

A *dyfgyble dyfgyblaidd*, at the same seasons 2*s.* and a *dyfgybl penceirddiaidd* 3*s.* 4*d.*

A *pencerdd* the same, besides a voluntary gratuity. He was also entitled to fees at royal and other

weddings; and upon their *gylch clera*, which was permitted only once in three years. But besides these fees, in order to encourage the *cleruwyr* to keep up the language, and the memory of the exploits and pedigrees of the *Britons*, they were allowed a penny out of every ploughland, and a halfpenny out of every half ploughland of their district.

The *Penbardd* and *Pencerdd*, in their circuits, frequented only the houses of the gentry; but if he degraded himself by visiting the commonalty, he was only to expect the fee of a common *clerwr*, whose province it was to visit the *plebeian* houses. The following were the persons who were allotted to entertain the vulgar ears.

A person labouring under any infirmity; such as blindness, lameness, &c. a *dyfgybl yspas*, a *dyfgybl dyfgyblaidd*, and *dyfgybl penceirddiaidd*. The first regulation was founded on humanity.

No public festivity, great feast, or wedding could be duly solemnized without the presence of the bards and minstrels. A glorious emulation arose among them; and prizes were bestowed on the most worthy. In 1176, the Lord *Rhy* Prince of *South Wales*, made a great feast † at *Christmas*, on account of the finishing his new castle at *Aberteifi*; of which he proclaimed notice through all *Britann* a year and a day before; great was the resort of strangers, who were nobly entertained; so that none departed unsatisfied. Among deeds of arms, and variety of *pastacles*, *Rhy* invited all the bards of *Wales*, and provided *chairs* for

* Or their pav. Sometimes it signifies the act of their perambulation.

† Powel, 237.

them, which were placed in his hall, where they sat and disputed, and sang, to shew their skill in their respective faculties, and bestowed great rewards, and rich gifts on the victors. The bards of North Wales won the prizes; but the minstrels of Rhys's household, excelled in their faculty. On this occasion the *Brawdwr Llys*, or judge of the court, and officer fifth in rank, declared aloud the victor, and received from the bard, for his fee, a mighty drinking-horn, made of the horn of an ox; a golden ring, and the cushion on which he sat in his chair of dignity*.

The bards of those times often accompanied their voices with the harp, as they were wont of old, in the manner described by *Amianus Marcellinus*†. There was also another species of musician, of an inferior kind, called *Dutci-niad*, who accompanied the musical instruments of others with his song. He was inferior to both bard and minstrel; yet it was requisite he should be possessed of a considerable degree of knowledge in both sciences: he ought to be able to tune the harp and *crwth*: to shew his skill in playing several notes and keys, and to be perfectly conversant in what are called the twenty-four measures of instrumental song; and to be able to sing with judgment and melody. He was likewise to be master of reading justly, and writing correctly. He was not only to understand the twenty-four modes of metrical compositions; but to exhibit specimens of his own, at least in three of them; and if he met

with any old song faultily transcribed, he was to rectify it. He was also to carry with him a harp or *crwth* in a white case. He was further required, not only to be a ready waiter at table, but to be an expert carver of every species of fowl. At the weddings of any of the royal family, his office was to wait on the bride.

On those occasions, I am reminded of another custom in which the bards were concerned. After their nuptial feast, a *Peucedd* was constituted *Cyf Clér*, or pillar of the clér, and seated in a chair surrounded by the other bards standing, who made him the subject of their merry and ludicrous compositions, to raise mirth in the company. He was that day to make no reply; but on the next, he was to divert the hall at the expense of the inferior bards; and was also to compose a poem upon a subject given him suitable to his dignity.

The most inferior of the musical tribe was sometimes admitted. This was the *Dutci-niad pen passwn*, or he that sung to the sound of his club; being ignorant of every other kind of instrument. When he was permitted to be introduced, he was obliged to stand in the middle of the hall, and sing his *crwydd*, or *awdl*, beating time, and playing the symphony with his *passwn* or club; but if there was a professor of music present, his leave must be first obtained before he presumed to entertain the company with this species of melody. Wherever he came he must act as a menial servant to the bard or musician.

* Leges Wallicæ, 28.

† Lib. xv. 9.

MISCELLANEOUS ESSAYS.

On Genius and Taste. From Reynolds's Academical Discourses.

IT has been the fate of arts to be enveloped in mysterious and incomprehensible language, as if it was thought necessary that even the terms should correspond to the idea uncertainty of the instability and uncertainty of the rules which they expressed.

To speak of genius and taste, as any way connected with reason or common sense, would be, in the opinion of some towering talkers, to speak like a man who possessed neither, who had never felt that enthusiasm, or, to use their own inflated language, was never warmed by that Promethean fire, which animates the canvas and vivifies the marble.

If, in order to be intelligible, I appear to degrade art by bringing her down from her visionary situation in the clouds, it is only to give her a more solid mansion upon the earth. It is necessary that at some time or other we should see things as they really are, and not impose on ourselves by that false magnitude with which objects appear when viewed indistinctly as through a mist.

We will allow a poet to express his meaning, when his meaning is not well known to himself, with

a certain degree of obscurity, as it is one source of the sublime. But when, in plain prose, we gravely talk of courting the muse in shady bowers; waiting the call and inspiration of Genius, finding out where he inhabits, and where he is to be invoked with the greatest success; of attending to times and seasons when the imagination shoots with the greatest vigour, whether at the summer solstice or the equinox; sagaciously observing how much the wild freedom and liberty of imagination is cramped by attention to established rules; and how this same imagination begins to grow dim in advanced age, smothered and deadened by too much judgment. When we talk such language, or entertain such sentiments as these, we generally rest contented with mere words, or at best entertain notions not only groundless, but pernicious.

If all this means what it is very possible was originally intended only to be meant, that in order to cultivate an art, a man secludes himself from the commerce of the world, and retires into the country at particular seasons; or that at one time of the year his body is in better health, and consequently his mind fitter for the business of hard thinking than at another time; or that the mind may be
L 2 fatigued

fatigued and grow confus'd by long and unremitted application; this I can understand. I can likewise believe, that a man eminent when young for possessing poetical imagination, may, from having taken another road, so neglect its cultivation, as to shew less of its powers in his latter life. But I am persuaded, that scarce a poet is to be found, from Homer down to Dryden, who preserv'd a sound mind in a sound body, and continued practising his profession to the very last, whose later works are not as replete with the fire of imagination, as those which were produced in his more youthful days.

To understand literally these metaphors or ideas express'd in poetical language, seems to be equally absurd as to conclude, that because painters sometimes represent poets writing from the dictates of a little winged boy or genius, that this same genius did really inform him in a whisper what he was to write; and that he is himself but a mere machine, unconscious of the operations of his own mind.

Opinions generally received and floating in the world, whether true or false, we naturally adopt and make our own; they may be considered as a kind of inheritance to which we succeed and are tenants for life, and which we leave to our posterity very near in the condition in which we received it; not much being in any one man's power either to impair or improve it.

The greatest part of these opinions, like current coin in its circulation, we are oblig'd to take without weighing or examining; but by this inevitable inattention, many adulterated pieces are received, which, when we seriously

estimate our wealth, we must throw away. So the collector of popular opinions, when he embodies his knowledge, and forms a system, must separate those which are true from those which are only plausible. But it becomes more peculiarly a duty to the professors of art not to let any opinions relating to *that art* pass unexamined. The caution and circumspection required in such examinations we shall presently have an opportunity of explaining.

Genius and taste, in their common acceptation, appear to be very nearly related; the difference lies only in this, that genius has super-added to it a habit or power of execution. Or we may say, that taste, when this power is added, changes its name, and is called genius. They both, in the popular opinion, pretend to an entire exemption from the restraint of rules. It is supposed that their powers are intuitive; that under the name of genius great works are produced, and under the name of taste an exact judgment is given, without our knowing why, and without being under the least obligation to reason, precept, or experience.

One can scarce state these opinions without exposing their absurdity; yet they are constantly in the mouths of men, and particularly of artists. They who have thought seriously on this subject, do not carry the point so far; yet I am persuaded, that even among those few who may be called thinkers, the prevalent opinion gives less than it ought to the powers of reason; and considers the principles of taste, which give all their authority to the rules of art, as more

more fluctuating, and as having less solid foundations, than we shall find, upon examination, they really have.

The common saying, that *tastes are not to be disputed*, owes its influence, and its general reception, to the same error which leads us to imagine it of too high original to submit to the authority of an earthly tribunal. It will likewise correspond with the notions of those who consider it as a mere phantom of the imagination, so devoid of substance as to elude all criticism.

We often appear to differ in sentiments from each other, merely from the inaccuracy of terms, as we are not obliged to speak always with critical exactness. Something of this too may arise from want of words in the language to express the more nice discriminations which a deep investigation discovers. A great deal however of this difference vanishes, when each opinion is tolerably explained and understood by constancy and precision in the use of terms.

We apply the term *taste* to that act of the mind by which we like or dislike, whatever be the subject. Our judgement upon an airy nothing, a fancy which has no foundation, is called by the same name which we give to our determination concerning those truths which refer to the most general and most unalterable principles of human nature, to works which are only to be produced by the greatest efforts of the human understanding. However inconvenient this may be, we are obliged to take words as we find them; all we can do is to distinguish the *things* to which they are applied.

We may let pass those things which are at once subjects of taste and sense, and which having as much certainty as the senses themselves, give no occasion to enquiry or dispute. The natural appetite, or taste of the human mind, is for *truth*; whether that truth results from the real agreement or equality of original ideas among themselves; from the agreement of the representation of any object with the thing represented; or from the correspondence of the several parts of any arrangement with each other. It is the very same taste which relishes a demonstration in geometry, that is pleased with the resemblance of a picture to an original, and touched with the harmony of music.

All these have unalterable and fixed foundations in nature, and are therefore equally investigated by reason, and known by study; some with more, some with less clearness, but all exactly in the same way. A picture that is unlike, is false. Disproportionate ordonnance of parts is not right; because it cannot be true, until it ceases to be a contradiction to assert, that the parts have no relation to the whole. Colouring is true where it is naturally adapted to the eye, from brightness, from softness, from harmony, from resemblance; because these agree with their object *nature*, and therefore are true; as true as mathematical demonstration; but known to be true only to those who study these things.

But besides *real*, there is also *apparent* truth, or opinion, or prejudice. With regard to real truth,

when it is known, the taste which conforms to it, is, and must be, uniform. With regard to the second sort of truth, which may be called truth upon sufferance, or truth by courtesy, it is not fixed, but variable. However, whilst these opinions and prejudices, on which it is founded, continue, they operate as truth; and the art, whose office it is to please the mind, as well as instruct it, must direct itself according to *opinion*, or it will not attain its end.

In proportion as these prejudices are known to be generally diffused, or long received, the taste which conforms to them approaches nearer to certainty, and to a sort of resemblance to real science, even where opinions are found to be no better than prejudices. And since they deserve, on account of their duration and extent, to be considered as really true, they become capable of no small degree of stability and determination by their permanent and uniform nature.

I shall now say something on that part of *taste*, which, as I have hinted to you before, does not belong so much to the external form of things, but is addressed to the mind, and depends on its original frame, or, to use the expression, the organization of the soul; I mean the imagination and the passions. The principles of these are as invariable as the former, and are to be known and reasoned upon in the same manner, by an appeal to common sense deciding upon the common feelings of mankind. This sense, and these feelings, appear to me of equal authority, and equally conclusive.

Now this appeal implies a general uniformity and agreement in the minds of men. It would be else an idle and vain endeavour to establish rules of art; it would be pursuing a phantom to attempt to move affections with which we were entirely unacquainted. We have no reason to suspect there is a greater difference between our minds than between our forms, of which, though there are no two alike, yet there is a general similitude that goes through the whole race of mankind; and those who have cultivated their taste can distinguish what is beautiful or deformed, or, in other words, what agrees or what deviates from the general idea of nature, in one case, as well as in the other.

The internal fabric of our mind, as well as the external form of our bodies, being nearly uniform; it seems then to follow of course, that as the imagination is incapable of producing any thing originally of itself, and can only vary and combine these ideas with which it is furnished by means of the senses, there will be of course an agreement in the imaginations as in the senses of men. There being this agreement, it follows, that in all cases, in our lightest amusements, as well as in our most serious actions and engagements of life, we must regulate our affections of every kind by that of others. The well-disciplined mind acknowledges this authority, and submits its own opinion to the public voice.

It is from knowing what are the general feelings and passions of mankind, that we acquire a true idea of what imagination is; though

though it appears as if we had nothing to do but to consult our own particular sensations, and these were sufficient to ensure us from all error and mistake.

A knowledge of the disposition and character of the human mind can be acquired only by experience: a great deal will be learned, I admit, by a habit of examining what passes in our bosoms, what are our own motives of action, and of what kind of sentiments we are conscious on any occasion. We may suppose an uniformity, and conclude that the same effect will be produced by the same cause in the minds of others. This examination will contribute to suggest to us matters of enquiry; but we can never be sure that our own sensations are true and right, till they are confirmed by more extensive observation.

One man opposing another determines nothing; but a general union of minds, like a general combination of the forces of all mankind, makes a strength that is irresistible. In fact, as he who does not know himself does not know others, so it may be said with equal truth, that he who does not know others, knows himself but very imperfectly.

A man who thinks he is guarding himself against prejudices by resisting the authority of others, leaves open every avenue to singularity, vanity, self-conceit, obstinacy, and many other vices, all tending to warp the judgment, and prevent the natural operation of his faculties.

This submission to others is a deference which we owe, and indeed are forced involuntarily to pay. In fact, we are never satisfied with our opinions till they are ratified and confirmed by the suffrages of the rest of mankind. We dispute and wrangle for ever; we endeavour to get men to come to us, when we do not go to them.

He therefore who is acquainted with the works which have pleased different ages and different countries, and has formed his opinion on them, has more materials, and more means of knowing what is analogous to the mind of man, than he who is conversant only with the works of his own age or country. What has pleased, and continues to please, is likely to please again: hence are derived the rules of art, and on this immovable foundation they must ever stand.

This search and study of the history of the mind ought not to be confined to one art only. It is by the analogy that one art bears to another, that many things are ascertained, which either were but faintly seen, or, perhaps, would not have been discovered at all, if the inventor had not received the first hints from the practices of a sister art on a similar occasion*. The frequent allusions which every man who treats of any art is obliged to draw from others in order to illustrate and confirm his principles, sufficiently shew their near connection and inseparable relation.

* Nulla ars, non alterius artis, aut mater, aut propinqua est.

TERTULL. as cited by JUNIUS.

All arts having the same general end, which is to please, and addressing themselves to the same faculties through the medium of the senses, it follows that their rules and principles must have as great affinity as the different materials and the different organs or vehicles by which they pass to the mind, will permit them to retain *.

We may therefore conclude, that the real substance, as it may be called, of what goes under the name of taste, is fixed and established in the nature of things; that there are certain and regular causes by which the imagination and passions of men are affected; and that the knowledge of these causes is acquired by a laborious and diligent investigation of nature, and by the same slow progress as wisdom or knowledge of every kind, however instantaneous its operations may appear when thus acquired.

It has been often observed, that the good and virtuous man alone can acquire this true or just relish even of works of art. This opinion will not appear entirely without foundation, when we consider that the same habit of mind which is acquired by our search after truth in the more serious duties of life, is only transferred to the pursuit of lighter amusements. The same disposition, the same desire to find something steady, substantial and durable, on which the mind can lean, as it were, and rest with safety. The subject only is changed. We pursue the same

method in our search after the idea of beauty and perfection in each; of virtue, by looking forward beyond ourselves to society, and to the whole; of arts, by extending our views in the same manner to all ages and all times.

Every art, like our own, has in its composition fluctuating as well as fixed principles. It is an attentive enquiry into their difference that will enable us to determine how far we are influenced by custom and habit, and what is fixed in the nature of things.

To distinguish how much has solid foundation, we may have recourse to the same proof by which some hold wit ought to be tried; whether it preserves itself when translated. That wit is false which can subsist only in one language; and that picture which pleases only one age or one nation, owes its reception to some local or accidental association of ideas.

We may apply this to every custom and habit of life. Thus the general principles of urbanity, politeness, or civility, have been ever the same in all nations; but the mode in which they are dressed is continually varying. The general idea of shewing respect is by making yourself less; but the manner, whether by bowing the body, kneeling, prostration, pulling off the upper part of our dress, or taking away the lower†, is a matter of habit. It would be unjust to conclude that all ornaments, because they were at first arbitrarily contrived, are therefore

* Omnes artes quæ ad humanitatem pertinent, habent quoddam commune vinculum, et quasi cognatione inter se continentur. CICERO.

† Put off thy shoes from off thy feet: for the place whereon thou standest is holy ground. EXODUS, chap. iii. 5.

undeserving of our attention; on the contrary, he who neglects the cultivation of those ornaments, acts contrarily to nature and reason. As life would be imperfect without its highest ornaments the Arts, so these arts themselves would be imperfect without *their* ornaments.

Though we by no means ought to rank these with positive and substantial beauties, yet it must be allowed that a knowledge of both is essentially requisite towards forming a complete, whole and perfect taste. It is in reality from the ornaments that arts receive their peculiar character and complexion; we may add, that in them we find the characteristical mark of a national taste, as by throwing up a feather in the air, we know which way the wind blows, better than by a more heavy matter.

The striking distinction between the works of the Roman, Bolognian and Venetian schools, consists more in that general effect which is produced by colours, than in the more profound excellencies of the art; at least it is from thence that each is distinguished and known at first sight. As it is the ornaments, rather than the proportions of architecture, which at the first glance distinguish the different orders from each other; the Doric is known by its triglyphs, the Ionic by its volutes, and the Corinthian by its acanthus.

Taste in dress is certainly one of the lowest subjects to which this word is applied; yet there is a right even here, however narrow its foundation respecting the fashion of any particular nation. But we have still more slender means of determining, in regard

to the different customs of different ages or countries, to which to give the preference, since they seem to be all equally removed from nature.

If an European, when he has cut off his beard, and put false hair on his head, or bound up his own natural hair in regular knots, as unlike nature as he can possibly make it; and having rendered them immovable by the help of the fat of hogs, has covered the whole with flour, laid on by a machine with the utmost regularity; if, when thus attired he issues forth, he meets a Cherokee Indian, who has bestowed as much time at his toilet, and laid on with equal care and attention his yellow and red ocher on particular parts of his forehead or cheeks, as he judges most becoming; whoever despises the other for this attention to the fashion of his country; which ever of these two first feels himself provoked to laugh, is the barbarian.

All these fashions are very innocent, neither worth disquisition, nor any endeavour to alter them, as the change would, in all probability, be equally distant from nature. The only circumstances against which indignation may reasonably be moved, is where the operation is painful or destructive of health, such as is practised at Otahaiti, and the strait lacing of the English ladies; of the last of which, how destructive it must be to health and long life, the professor of anatomy took an opportunity of proving a few days since in this Academy.

It is in dress as in things of greater consequence. Fashions originate from those only who have the

the high and powerful advantages of rank, birth, and fortune. As many of the ornaments of art, those at least for which no reason can be given, are transmitted to us, are adopted, and acquire their consequence from the company in which we have been used to see them. As Greece and Rome are the fountains from whence have flowed all kinds of excellence, to that veneration which they have a right to claim for the pleasure and knowledge which they have afforded us, we voluntarily add our approbation of every ornament and every custom that belonged to them, even to the fashion of their dress. For it may be observed that, not satisfied with them in their own place, we make no difficulty of dressing statues of modern heroes or senators in the fashion of the Roman armour or peaceful robe, we go so far as hardly to bear a statue in any other drapery.

The figures of the great men of those nations have come down to us in sculpture. In sculpture remain almost all the excellent specimens of ancient art. We have so far associated personal dignity to the persons thus represented, and the truth of art to their manner of representation, that it is not in our power any longer to separate them. This is not so in painting; because having no excellent ancient portraits, that connection was never formed. Indeed we could no more venture to paint a general officer in a Roman military habit, than we could make a statue in the present uniform. But since we have no ancient portraits, to shew how ready we are to adopt those kind of prejudices, we make the best authority among the moderns serve

the same purpose. The great variety of excellent portraits with which Vandyke has enriched this nation, we are not content to admire for their real excellence, but extend our approbation even to the dress which happened to be the fashion of that age. We all very well remember how common it was a few years ago for portraits to be drawn in this Gothic dress, and this custom is not yet entirely laid aside. By this means it must be acknowledged very ordinary pictures acquired something of the air and effect of the works of Vandyke, and appeared therefore at first sight to be better pictures than they really were; they appeared so, however, to those only who had the means of making this association, for when made, it was irresistible. But this association is nature, and refers to that secondary truth that comes from conformity to general prejudice and opinion; it is therefore not merely fantastical. Besides the prejudice which we have in favour of ancient dresses, there may be likewise other reasons, amongst which we may justly rank the simplicity of them, consisting of little more than one single piece of drapery, without those whimsical capricious forms by which all other dresses are embarrassed.

Thus, though it is from the prejudice we have in favour of the ancients, who have taught us architecture, that we have adopted likewise their ornaments; and though we are satisfied that neither nature nor reason are the foundation of those beauties which we imagine we see in that art, yet if any one persuaded of this truth should therefore invent new orders

MISCELLANEOUS ESSAYS. 155

of equal beauty, which we will suppose to be possible, yet they would not please, nor ought he to complain, since the old has that great advantage of having custom and prejudice on its side. In this case we leave what has every prejudice in its favour, to take that which will have no advantage over what we have left, but novelty, which soon destroys itself, and at any rate is but a weak antagonist against custom.

These ornaments having the right of possession, ought not to be removed, but to make room for not only what has higher pretensions, but such pretensions as will balance the evil and confusion which innovation always brings with it.

To this we may add, even the durability of the materials will often contribute to give a superiority to one object over another. Ornaments in buildings, with which taste is principally concerned, are composed of materials which last longer than those of which dress is composed; it therefore makes higher pretensions to our favour and prejudice.

Some attention is surely required to what we can no more get rid of than we can get out of ourselves. We are creatures of prejudice; we neither can nor ought to eradicate it; we must only regulate it by reason, which regulation by reason is indeed little more than obliging the lesser, the local and temporary prejudices, to give way to those which are more durable and lasting.

He therefore who in his practice of portrait painting wishes to dignify his subject, which we will suppose to be a Lady, will not

paint her in the modern dress, the familiarity of which alone is sufficient to destroy all dignity. He takes care that his work shall correspond to those ideas and that imagination which he knows will regulate the judgment of others; and therefore dresses his figure something with the general air of the antique for the sake of dignity, and preserves something of the modern for the sake of likeness. By this conduct his works correspond with those prejudices which we have in favour of what we continually see; and the relish of the antique simplicity corresponds with what we may call the more learned and scientific prejudice.

There was a statue made not long since of Voltaire, which the sculptor, not having that respect for the prejudices of mankind which he ought to have, has made entirely naked, and as meagre and emaciated as the original is said to be. The consequence is what might be expected; it has remained in the sculptor's shop, though it was intended as a public ornament and a public honour to Voltaire, as it was procured at the expence of his cotemporary wits and admirers.

Whoever would reform a nation, supposing a bad taste to prevail in it, will not accomplish his purpose by going directly against the stream of their prejudices. Men's minds must be prepared to receive what is new to them. Reformation is a work of time. A national taste, however wrong it may be, cannot be totally changed at once; we must yield a little to the prepossession which has taken hold on the mind, and we may

is between the several counties of England; so would all, by mutual communication, obtain more enjoyments. Those counties do not ruin each other by trade, neither would the nations. No nation was ever ruined by trade, even, seemingly, the most disadvantageous.

Wherever desirable superfluities are imported, industry is excited, and thereby plenty is produced. Were only necessaries permitted to be purchased, men would work no more than was necessary for that purpose.

Of Prohibitions with respect to the Exportation of Gold and Silver.

COULD Spain and Portugal have succeeded in executing their foolish laws for *hedging in the cuckoo*, as Locke calls it, and have kept at home all their gold and silver, those metals would by this time have been of little more value than so much lead or iron. Their plenty would have lessened their value. We see the folly of these edicts: but are not our own prohibitory and restrictive laws, that are professedly made with intention to bring a balance in our favour from our trade with foreign nations to be paid in money, and laws to prevent the necessity of exporting that money, which if they could be thoroughly executed, would make money as plenty, and of as little value; I say, are not such laws akin to those Spanish edicts; follies of the same family?

Of the Returns for foreign Articles.

IN fact, the *produce of other countries* can hardly be obtained,

unless by fraud and rapine, without giving the *produce of our land or our industry* in exchange for them. If we have mines of gold and silver, gold and silver may then be called the produce of our land: if we have not, we can only fairly obtain those metals by giving for them the produce of our land or industry. When we have them, they are then only that produce or industry in another shape; which we may give, if the trade requires it and our other produce will not suit, in exchange for the produce of some other country that furnishes what we have more occasion for, or more desire. When we have, to an inconvenient degree, parted with our gold and silver, our industry is stimulated afresh to procure more; that, by its means, we may contrive to procure the same advantage.

Of Restraints upon Commerce in Time of War.

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may then bring people to adopt what would offend them, if endeavoured to be introduced by storm. When Battisto Franco was employed, in conjunction with Titian, Paul Veronese and Tintoret, to adorn the library of St. Mark, his work, Vafari says, gave less satisfaction than any of the others: the dry manner of the Roman school was very ill calculated to please eyes that had been accustomed to the luxuriance, splendor and richness of Venetian colouring. Had the Romans been the judges of this work, probably the determination would have been just contrary; for in the more noble parts of the art, Battisto Franco was perhaps not inferior to any of his rivals.

*Thoughts on Commercial Subjects.
From Dr. Franklin's Political
Fragments.*

*Of Embargoes upon Corn, and of the
Poor.*

IN inland high countries, remote from the sea, and whose rivers are small, running from the country, and not to it, as is the case of Switzerland; great distress may arise from a course of bad harvests, if public granaries are not provided, and kept well stored. Anciently too, before navigation was so general, ships so plenty, and commercial connections so well established; even maritime countries might be occasionally distressed by bad crops. But such is now the facility of communication between those countries, that an unrestrained commerce can scarce ever fail of procuring a sufficiency

for any of them. If indeed any government is so imprudent, as to lay its hands on imported corn, forbid its exportation, or compel its sale at limited prices; there the people may suffer some famine from merchants avoiding their ports. But wherever commerce is known to be always free, and the merchant absolute master of his commodity, as in Holland, there will always be a reasonable supply.

When an exportation of corn takes place, occasioned by a higher price in some foreign countries, it is common to raise a clamour, on the supposition that we shall thereby produce a domestic famine. Then follows a prohibition, founded on the imaginary distress of the poor. The poor, to be sure, if in distress, should be relieved; but if the farmer could have a high price for his corn from the foreign demand, must he by a prohibition of exportation be compelled to take a low price, not of the poor only, but of every one that eats bread, even the richest? the duty of relieving the poor is incumbent on the rich; but by this operation the whole burden of it is laid on the farmer, who is to relieve the rich at the same time. Of the poor too, those who are maintained by the parishes have no right to claim this sacrifice of the farmer; as, while they have their allowance, it makes no difference to them, whether bread be cheap or dear. Those working poor, who now mind business only *five* or *four* days in the week, if bread should be so dear as to oblige them to work the whole *six* required by the commandment, do not seem to be aggrieved, so as to have a right to

to public redress. There will then remain, comparatively, only a few families in every district, who, from sickness or a great number of children, will be so distressed by a high price of corn, as to need relief; and these should be taken care of by particular benefactions, without restraining the farmer's profit.

Those who fear, that exportation may so far drain the country of corn, as to starve ourselves, fear what never did, nor ever can happen. They may as well, when they view the tide ebbing towards the sea, fear that all the water will leave the river. The price of corn, like water, will find its own level. The more we export, the dearer it becomes at home; the more is received abroad, the cheaper it becomes there; and, as soon as these prices are equal, the exportation stops of course. As the seasons vary in different countries, the calamity of a bad harvest is never universal. If then, all ports were always open, and all commerce free; every maritime country would generally eat bread at the medium price, or average of all the harvests; which would probably be more equal than we can make it by our artificial regulations, and therefore a more steady encouragement to agriculture. The nation would all have bread at this middle price; and that nation, which at any time inhumanly refuses to relieve the distresses of another nation, deserves no compassion when in distress itself.

Of the Effect of Dearness of Provisions upon Working, and upon Manufactures.

THE common people do not work for pleasure generally, but from necessity. Cheapness of provisions makes them more idle; less work is then done, it is then more in demand proportionally, and of course the price rises. Dearness of provisions obliges the manufacturer to work more days and more hours; thus more work is done than equals the usual demand; of course it becomes cheaper, and the manufactures in consequence.

Of an open Trade.

PERHAPS, in general, it would be better if government meddled no farther with trade, than to protect it, and let it take its course. Most of the statutes or acts, edicts, arrests, and placarts of parliaments, princes, and states, for regulating, directing, or restraining of trade, have, we think, been either political blunders, or jobs obtained by artful men for private advantage under pretence of public good. When Colbert assembled some wise old merchants of France, and desired their advice and opinion how he could best serve and promote commerce; their answer, after consultation, was in three words only, *Laissez nous faire*; 'Let us alone.'—It is said by a very solid writer of the same nation, that he is well advanced in the science of politics, who knows the full force of that maxim, *Pas trop gouverner*, 'not to govern too much; which, perhaps, would be of more use when applied to trade, than in any other public concern. It were therefore to be wished, that commerce were as free between all the nations of the world, as it

is between the several counties of England; so would all, by mutual communication, obtain more enjoyments. Those counties do not ruin each other by trade, neither would the nations. No nation was ever ruined by trade, even, seemingly, the most disadvantageous.

Wherever desirable superfluities are imported, industry is excited, and thereby plenty is produced. Were only necessaries permitted to be purchased, men would work no more than was necessary for that purpose.

Of Prohibitions with respect to the Exportation of Gold and Silver.

COULD Spain and Portugal have succeeded in executing their foolish laws for *hedging in the cuckoo*, as Locke calls it, and have kept at home all their gold and silver, those metals would by this time have been of little more value than so much lead or iron. Their plenty would have lessened their value. We see the folly of these edicts: but are not our own prohibitory and restrictive laws, that are professedly made with intention to bring a balance in our favour from our trade with foreign nations to be paid in money, and laws to prevent the necessity of exporting that money, which if they could be thoroughly executed, would make money as plenty, and of as little value; I say, are not such laws akin to those Spanish edicts; follies of the same family?

Of the Returns for foreign Articles.

IN fact, the *produce of other countries* can hardly be obtained,

unless by fraud and rapine, without giving the *produce of our land or our industry* in exchange for them. If we have mines of gold and silver, gold and silver may then be called the produce of our land: if we have not, we can only fairly obtain those metals by giving for them the produce of our land or industry. When we have them, they are then only that produce or industry in another shape; which we may give, if the trade requires it and our other produce will not suit, in exchange for the produce of some other country that furnishes what we have more occasion for, or more desire. When we have, to an inconvenient degree, parted with our gold and silver, our industry is stimulated afresh to procure more; that, by its means, we may contrive to procure the same advantage.

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160 ANNUAL REGISTER, 1779.

served or heard? of imprudence? of passion? or of any other vice or folly?

8. What happy effects of temperance? of prudence? of moderation? or of any other virtue?

9. Have you or any of your acquaintance been lately sick or wounded? If so, what remedies were used, and what were their effects?

10. Who do you know that are shortly going voyages or journies, if one should have occasion to send by them?

11. Do you think of any thing at present, in which the Junto may be serviceable to *mankind*? to their country, to their friends, or to themselves?

12. Hath any deserving stranger arrived in town since last meeting, that you heard of? and what have you heard or observed of his character or merits? and whether, think you, it lies in the power of the Junto to oblige him, or encourage him as he deserves?

13. Do you know of any deserving young beginner lately set up, whom it lies in the power of the Junto any way to encourage?

14. Have you lately observed any defect in the laws of your country, [of] which it would be proper to move the legislature for an amendment? or do you know of any beneficial law that is wanting?

15. Have you lately observed any encroachment on the just liberties of the people?

16. Hath any body attacked your reputation lately? and what can the Junto do towards securing it?

17. Is there any man whose friendship you want, and which

the Junto, or any of them, can procure for you?

18. Have you lately heard any member's character attacked, and how have you defended it?

19. Hath any man injured you, from whom it is in the power of the Junto to procure redress?

20. In what manner can the Junto, or any of them, assist you in any of your honourable designs?

21. Have you any weighty affair in hand, in which you think the advice of the Junto may be of service?

22. What benefits have you lately received from any man not present?

23. Is there any difficulty in matters of opinion, of justice, and injustice, which you would gladly have discussed at this time?

24. Do you see any thing amiss in the present customs or proceedings of the Junto, which might be amended?

Any person to be qualified, to stand up, and lay his hand on his breast, and be asked these questions; viz.

1. Have you any particular disrespect to any present members?—*Answer.* I have not.

2. Do you sincerely declare that you love mankind in general; of what profession or religion soever?—*Answer.* I do.

3. Do you think any person ought to be harmed in his body, name or goods, for mere speculative opinions, or his external way of worship?—*Answer.* No.

4. Do you love truth for truth's sake, and will you endeavour impartially to find and receive it yourself and communicate it to others?—*Answer.* Yes.

Observa-

MISCELLANEOUS ESSAYS. 161

Observations on Patriarchal Customs and Manners; by the Hon. Daines Barrington.

HAVING read the book of Genesis lately with attention, I have formed a short sketch of the patriarchal customs and manners, some of which, and more particularly what relates to their marriages, I never could at all comprehend from the perusal of detached chapters; it need scarcely be observed also that such customs and manners must in many respects differ from those of their descendants, when they became a considerable nation, and lived in cities.

A patriarch pitched his tents where the ground was unoccupied by others; or, if occupied, where he was permitted to purchase; as in the instance of Jacob's procuring land from the children of Hamor, for an hundred pieces of money.

As the first of these patriarchs (Abraham) had 318 trained servants, when he assisted his nephew Lot; if we multiply 318 by 5, according to the common rule for giving the number of *souls*, there were probably 1590 in this patriarchal family: Esau also meets Jacob with 400 men.

Their cattle consisted of camels, cows, asses, sheep, and goats; but I do not find any mention of the horse in the book of Genesis, except of the horsemen which came from Egypt with Joseph, when he is to bury Jacob; and, indeed, this quadruped consumed too much provender, to be easily furnished in such a country as the land of Canaan; besides the camel was a

much more convenient beast of burthen, in their slow journeys over tracts of sultry deserts.

The distance to which they removed must have depended upon their finding proper subsistence for themselves and their cattle, whilst the first thing necessary, when they had fixed their settlement, was to dig wells; which act of labour established their property in the land that was contiguous.

These wells were of different kinds, and were most valuable if an ebullition of the water appeared, when they are described as *living waters*; at least such is the expression in the Septuagint, though not in our version.

Some of these wells had steps to go down into them, and had besides a trough to receive the water when brought up in the pitchers; as, otherwise, there would not have been a sufficient quantity for the larger cattle, and particularly the camels: it should seem also, that this labour was imposed upon the women, who chose the cool of the evening for this purpose, and carried their pitchers on their shoulders.

Other wells were covered with a large stone, which required some strength to remove it, and prevented the sand or ordure from being blown into the well, as also accidents to the cattle, or the evaporation of this so precious an element in so parched a country. Other wells again had a wall round them, to which they planted vines. These wells being so valuable, sometimes occasioned contentions between the herdsmen, in which it does not appear what arms were

were that, but it might seem that the two and company were there, and that the falling with the day of the sword, but there is a therefore improper in the Septuagint expression is a correct, as the and the more translation from the Hebrew is *in the ground*. Perhaps the use of the most ancient of such weapons, as it is almost it is the covenant with Noah. The husband and his wife live in separate tents, or houses, as Isaac gives that of his mother Sarah, after her death, and three tents are reserved for the images, the *Idols*, *Idols*, and *Idols*. In process of time and houses were built for their cattle, from which circumstance Jacob called a place.

The patriarch himself seems not to have been occupied in any manual labour, but is often represented as lying before the door of his tent, or under the shade of a tree, with a truly Asiatic indolence, as upon the arrival of a stranger, he is said to sit up his eyes, and so, which very particular expression seems to imply an effort to look at all.

When the stranger arrives, he is received with great courtesy and hospitality; for Abraham addresses the angels (whom he does not know to be so, as his Lord, and gives himself their servants. They are then invited to wash their feet, whilst Sarah prepares the bread, and Abraham procures a calf, butter, and milk for them, which they eat under the shade of a tree, and Abraham waits upon them during their repast. If the stranger travelled with cattle, they

were also provided with food and provender.

The patriarch's own cattle were kept either in his tents, or in yards, and attended there day and night: at least, it was a covenant between Isaac and Jacob "that if any were lost or stolen by day or night, or defrauded by evil means, the innocent should be answering for them."

These servants became so either by being born within the patriarch's district, or were purchased for money; whilst some few engaged only for a term of years, as in the instance of Jacob and Laban. But those who could be most depended upon were the children of the patriarch himself, or their descendants; the increase of which was encouraged by every possible means (being their best wealth), and unhappy was the woman who did not bear a considerable number. The wife indeed having no fortune, was purchased by the husband for this sole purpose, which if he did not achieve, her disgrace was complete. Hence Rachel is afflicted with blessings and wishes for her fruitfulness, and says afterwards to her husband, "give me children or I shall die;" hence God is supposed "both to open and shut her womb;" and upon bearing a child "God hath taken away her reproach." The belief that the Messiah might be defrauded from them, might possibly contribute also to this in very earnest desire of becoming a mother.

In their marriages (from the time of Isaac at least), it seems to have always been wished that the bride should live at a distance from

MISCELLANEOUS ESSAYS. 163

from the patriarchal residence, but that she should be related, and particularly a first cousin.

The first requisite probably arose from the danger of early incest in the patriarch's own family; and the second, from apprehensions of disagreement between the husband and wife, after the introduction of circumcision, which the wife might probably have opposed, when her new-born infant was but eight days old, unless she was in some measure descended from Abraham the introducer of this practice.

We find accordingly that Zipporah, who was a Midianite, and married to Moses, had delayed this operation so long, that he is threatened with death by an angel; upon which the mother complies indeed, but reproaches Moses twice with *being a bloody husband* to her on this account. Jacob's sons likewise for the same reason declare, that they will not marry the daughters of the Schechemites, till circumcision is submitted to by all the male inhabitants of the town of Shechem.

It was allowed to marry at least two wives though sisters; but as both of these might prove barren, we find that in the instance of Rachel and Leah, they received from their father two handmaids, in whom they continued to have such absolute property, that if they bestowed them upon their husbands in marriage, the children which they bore were in a manner considered as their own, whilst to make them more completely so, the handmaid was delivered upon the knees of her mistress: "Go in unto her, and she shall bear upon my knees, that I may

"have also children by her." Gen. xxx. It seems to me that what I have suggested is fairly to be inferred from these words; and I have been informed by a learned friend, that some years past it was not uncommon in many parts of England, for the granddaughter to be delivered upon the knees not only of the grand-mother, but the grand-father. The husband often also places the wife upon his knees for this same purpose, amongst the lower class of peasants both in Prussia and Lapland.

Though the handmaid's children were therefore considered as legitimate, yet she and her offspring seem to have continued under the power of the mistress, for Sarah insists upon Hagar being sent with her child into the desert, which Abraham cannot oppose, though he wishes to do so; and such a maid is therefore sometimes styled a *bond-woman*.

Whilst the mistress however was satisfied with her hand-maid's behaviour, both she and her children were treated nearly in the same manner as the wife and her children would have been. Thus Joseph the son of Rachel keeps sheep with the sons of Bilhah and Zilpah, (who were handmaids to Rachel and Leah) and the only reason given for Jacob's preferring Joseph is, that he was the son of his old age. The brothers also resent Joseph's conceiving from his dream, that he should have any superiority over them. Thus Jacob likewise with his two wives and their handmaids, and his eleven sons, advance by themselves when he is approaching Esau under

der apprehensions that he shall not be well received, whilst he is preceded by other parts of his train, whose lives are not so precious to him.

It should seem, indeed, that there was some sort of distinction between the two sorts of marriage, as far as related to the mothers, though not as to the children, for it was a general law in all the countries adjacent to the promised land, that adultery with the wife of the more solemn marriage, should be punished with death. But if the woman was not under such a contract, the princes of the East often placed her in their seraglio. By this I would allude to the instances of Sarah and Rebecca whilst in Egypt and Gerar; but the book of Genesis does not furnish an example of its being an equal crime to commit adultery with the wife's handmaid, after she had been given in marriage to the husband. On the contrary, Reuben lay with Bilhah, his mother Rachel's handmaid, which she had given in marriage to Jacob; nor does any punishment or reproof immediately follow, though the Septuagint adds this censure, *καὶ ἔσται ἡ ἁρπαγή αὐτῆς ὡς ἁρπαγή αὐτοῦ*.

To avoid however this offence of adultery with the wife of the more solemn marriage, if the patriarch removed to the dominions of a foreign prince, it seems to have not been uncommon to murder him, (for which the punishment was not probably so severe in the case of a stranger) as the woman was then become a widow and not a wife; by which most horrid evasion, the letter of the law seems to have been satisfied.

Murder had indeed been forbid in the time of Noah; but this precept did not probably reach to countries which were not inhabited by his more immediate descendants; for when Abraham apprehends being murdered in Abimelech's kingdom on account of his wife Sarah, he gives it as a reason, "that the fear of God was not in this place;" by which I understand that the divine law against murder promulgated to Noah had not been heard of, or at least was not observed in Abimelech's country, though it is very clear that adultery with Sarah (whilst she was wife of Abraham) would have been punished with death; and from another similar instance, that the same law prevailed in Egypt. Hence also Abimelech, when he is informed that Isaac is the husband of Rebecca, issues a proclamation for his protection.

As a wife was only respected for the number of children with which she or her handmaids increased the patriarchal family, the greatest injury she could receive, was the preventing her having the earliest opportunity of bearing legitimate children. Hence the daughter being at the father's disposal, Laban informs Jacob that he must not complain of Leah being imposed upon him instead of Rachel, because Leah was the elder sister, and therefore was not to lose a year of child-bearing; of which she was capable before her younger sister.

When a wife was once removed from the family of one patriarch to another, she could not be returned without much trouble and inconvenience: besides which, as I have

MISCELLANEOUS ESSAYS. 165

I have observed before, she was in reality purchased for the purpose of bearing children, and consequently whilst she was of a proper age, no time was to be lost in providing her with another husband (upon the death of the first) from the same family which had made the purchase; the next brother in succession being fixed upon for the second husband.

This appears most strongly in what is mentioned with regard to Tamar, who was first married to Er, the eldest of three brothers, then to Onan the second, and afterwards betrothed to Selah the third when he should be fully grown. When this happens, Tamar thinks herself most highly injured by his not being immediately more solemnly married to her, which is the occasion of her losing the first opportunity of bearing children, and therefore she commits incest with her father-in-law, who acknowledges afterwards that he had been guilty of a greater sin in not completing the marriage between Tamar and Selah; than she had by adultery; for which otherwise he had ordered her to have been burnt. A disappointment of the same sort occasioned the death of her second husband Onan, who seems to have declined having children by her, because he conceived at least, that Tamar was already pregnant by his elder brother Er.

But a still stronger instance of this supposed duty of bearing children, appears in the conduct of the two daughters of Lot, who commit incest with their father from the same motives, nor do they incur any blame when the deceit is discovered; and I am in-

formed by an able orientalist, that the name of one of the sons, viz. *Meab*; signifies, *of or by my Father*; and of the other, viz. *Ammon* or *Ben-ammi*, *the son of my nearest kin*; from which it is very clear that they meant to perpetuate an honour, and not a disgrace to themselves or their children. Besides this, the two daughters concert a deliberate plan with each other for this purpose, taking it as a reason that their father *was grown old*; and it cannot therefore be supposed to have arisen from the common inducements to incontinence. I cannot conclude what I have stated with regard to the patriarchal marriages, without observing, that though some of their usages in this respect may appear so very singular, and perhaps blamable according to our own institutions, yet it must be recollected, that no positive law of divine revelation was promulged till the decalogue, except the forbidding of murder in the time of Noah, and the covenant of circumcision. The patriarchs therefore accommodated their laws to their own very particular situation.

A patriarch seems to have had the highest powers over his children and family; at least Lot offers his daughters to the Sodomites, and Abraham obliges his son "Ishmael, together with all the men of his house, born in the house, and bought with money of the stranger," to be circumcised. Reuben moreover offers to deliver up his two sons to be slain, if he does not bring back Benjamin.

This parental authority was much enforced by the father's being believed to have it in his

power to confer either happiness or misery by his blessings or curses, which were therefore deferred till extreme old age, the eyes of both Isaac and Jacob being so dim that they cannot distinguish objects, when they pronounce their blessings on their children. The mother, however, does not appear to have had any such power, nor do we find any instance of a daughter being either blessed or cursed.

The respect to the father during his life was such, that it should seem the child was not permitted to sit in his presence, from a very particular excuse which Rachel makes on the occasion; whilst Jacob swears by *the fear* of his father Isaac, i. e. by the fear he was under of his father's displeasure. Esau also declares that he will kill Jacob, when *Isaac dies*, and Joseph's brethren apprehend he will revenge himself on the death of Jacob. Gen. xxxi. 42. and L. 15.

The blessing or curse pronounced by the father, was a prophetic vision of what was to happen, and therefore could not be revoked or altered; for Isaac cannot change what he hath given Jacob reason to expect when his deceit is discovered; nor can Jacob be prevailed upon by Joseph to put his right hand upon his son Manasseh, because greater blessings were to come upon his younger brother Ephraim. It appears also from what hath been stated, that the blessing was given by the father's putting his right hand upon the head of the son who was to receive it.

The parental authority was endeavoured to be supported as long

as possible by the funeral honours paid to the deceased patriarch, and the place of his burial. The first purchase that we hear of therefore in the Old Testament, is that of the cave of Macpelah, in the valley of Mamre, which Abraham bought from the sons of Heth (who were otherwise willing to accommodate him in the burying of Sarah), that it might be secured to him and his descendants.

The conveyance therefore is made to Abraham with all possible solemnities and accuracy, in regard to the boundaries, which were delivered down to his grand-son Jacob, who reminds his children of them when he is dying, and requests to be interred in the cave which had been purchased by his grandfather.

When the patriarch dies, the expression used is, that he was *gathered unto his people*, with which Montanus' literal version from the Hebrew agrees, being *collectus est ad populos suos*. As I must own that I do not understand the meaning of either the English or Latin translation; I have therefore consulted the Septuagint, where the words are *προσέβη προς τον λαον αυτου*, which I translate, "*the corpse was produced before his people*," and which is the first sense that Stephens gives to this verb, citing Herodian with regard to the funeral of Severus: *κατανομιζουσι δια της ιερης οδου, εις δε την αρχαιαν αγοραν προσεβησιν*. L. iv. in princ. Dio also censures Tiberius for his neglect of Livia, *εις νοσους επεκειπασατο, εις σποδανυσαν αυτης προσεβητο*. Dio. L. lviii. in princ. *μετα ταυτα δε . . . σιθανουσα τις* (sc. the corpse) *τοις θραιυις ανθεσι, προσεβηθη λαμπρως αμφοτεραν*. Lucianus

Lucianus de Luctu, p. 807, Ed. Bourdelot.

—“Nec tua funera, mater,
“*Produxi.*” Aen. xi. 486.

where the poet literally translates the Greek term used in the above citations with regard to funerals. Thus likewise Statius,

—“Et puerile feretrum
“*Produxi.*” L. ii. S. 1.

To this it may be added, that the expression of *being gathered to his people*, is only applied to the death of Abraham, Isaac, and Jacob; from whence it may be fairly inferred, that the honour of producing the body, and weeping over it in public, was paid only to the head of the patriarchal family. Perhaps Abraham might have introduced these funeral solemnities after he had been in Egypt.

Ishmael indeed is said to have been *gathered to his people*, in our version of Gen. xxv. 17; but the Septuagint runs *προς το γένος*, and not *προς τον λαον αυτου*; and it should seem, therefore, that his corpse was only lamented over by his relations. If we consider, however, the term *γένος* to be used in as extensive a sense as *λαος*, it must be recollected that Ishmael, on the death of Abraham, was the head of the patriarchal family.

I shall now endeavour to shew that this is the true sense of the text from the particulars which are stated both as to Sarah and Jacob's funeral; for as to those of Abraham and Isaac, it is only mentioned that they were *gathered unto their people*, and were buried.

I shall begin, however, with the last instance, *viz.* that of Jacob,

because the ceremonies used in the burial of Sarah, will then be better understood.

Jacob, in his last agonies, is said to raise his feet *upon the bed*, and therefore lay in such an attitude that his corpse might be *produced to his people* (according to my translation of the passage); immediately after which Joseph falls upon his father's face, weeping and kissing it; which, with other public lamentations, continued (as I apprehend) till the corpse was buried.

This last particular is, I think, fairly to be inferred from different passages which relate to the funeral of Sarah.

Sarah died at some distance from where Abraham happened to be; who therefore comes to mourn and weep for her before she is interred; and addresses the sons of Heth, *the body of his wife lying before him*; “and Abraham stood up *from before his dead and spake unto the sons of Heth.*”—In the next verse he says, “give me *a burying place that I may bury my dead out of my sight*,” and the same expression is again repeated in the 8th verse.

I have already observed how material a purchase the cave of Macpelah was considered both by Abraham and his descendants, it being destined to receive their remains, and Dr. Shaw informs us, that it continues to be shewn by the Mahometans; he forgets, however, to mention whether it is a *double one* according to the Septuagint, and the literal version from the Hebrew, as such a separation must still continue if the cave does.

I cannot here but observe, that it is much to be wished the travellers

lers into the Promised Land would look out for many patriarchal antiquities, if they happen not to be of a perishable nature. Thus Dr. Shaw hath given us an engraving of the rock of Meribah; nor do I see greater difficulties in discovering the cave near Zoar, in which Lot and his daughters lived, than the cave of Macpelah.

Four different pillars are said to have been erected by Jacob in commemoration of particular events. As it cannot probably have answered any purpose to destroy them, and, on the contrary, both Jews and Mohometans profess an equal veneration for the memory of the patriarchs, I do not see why some remains of such antiquities may not still continue. I should suppose likewise, that the twelve stones which Joshua ordered to be placed where the Israelites should encamp after the passage of the Jordan, may be still found out by an inquisitive and persevering traveller.

A map of the complete course of this river is also much wanted, as well as of all the stations mentioned in the patriarchal times, notwithstanding the labours of Reland, Dr. Wells, and others, who have rather taken notice of the places which occur in the later books of the Old Testament.

If it be said that it is impossible to settle them with any precision, I admit the objection if accuracy

in longitude and latitude is required; but circumstances are not wanting to fix the situation of most of them, so as greatly to illustrate the book of Genesis.

Another objection may be perhaps made from the insecurity to the traveller, and the ignorance of the present inhabitants of the Promised Land. With regard to the first of these circumstances, I have little doubt but that if application was made through our minister at Constantinople, a proper guard might be procured; but even this would signify little, unless the person who undertakes such a journey can readily speak the language of the country himself, or is attended by an able interpreter, who may ask such questions as are necessary, and which require no great sagacity of knowledge in the person who is to give the answer.

DAINES BARRINGTON,

. It is much to be wished likewise, for the illustration of the Greek and Roman Classics, that a missionary of taste and a landscape-painter were sent with the same advantages into poetical Thrace. How little do we know of the river *Strymon*, Mount *Æmus*, &c.—As for antient Greece, it hath lately been very thoroughly examined, and the republic of letters are much obliged to the Society of the *Dilettanti* for the last voyage undertaken for this laudable purpose.

P O E T R Y.

P O E T R Y.

ODE for the NEW YEAR, 1779.

Written by W. WHITEHEAD, Esq; P. L.

TO arms, to arms, ye sons of might,
 And hail, with sounds of war, the new-born year!
 Britannia, from her rocky height,
 Points to the Gallic coast, and lifts her spear,
 The immortal hatred, which by turns,
 Wakes and sleeps, with fury burns:
 New cause of just offence has Albion found,
 And lo! it bleeds afresh the eternal wound!

Tho' great in war, of skill posselt,
 Tho' native courage fire their breast
 With ardour for the public weal,
 One want, at least, our rivals feel,
 The want of freedom damps each gen'rous aim;
 Whoe'er the lord they serve, th' oppression is the same.

Power despotic rarely knows,
 Rarely heeds a subject's woes.
 By force it claims, with grasping hand,
 Whate'er ambition dares demand:
 The ravag'd merchant, plunder'd swain,
 May pour their weak complaints in vain;
 Their private sorrows are their own,
 A tyrant feels not, tho' a people groan.

O happier far the well-mix'd state,
 Which blends the Monarch's with the Subject's fate,
 And links the sceptre to the spade.
 The stroke which wounds the lowliest clown,
 Is insult to the British crown,
 And he attacks our rights who dares the throne invade.

One common flame, one active soul
 Pervades, and animates the whole;
 One heart, one hand, directs the blow,
 And hurls the vollied vengeance on the foe.

ODE

ODE for His MAJESTY'S BIRTH-DAY.

By the same.

LET Gallia mourn! th' insulting foe,
 Who dar'd to aim the treach'rous blow,
 When lost, she thought, in deep dismay,
 Forlorn, distress'd Britannia lay.

Deems she misfortune e'er can tame,
 The gen'rous inborn British flame?
 Is Agincourt so little known,
 Must fresh conviction curb her pride,
 Each age new annals be supply'd,
 Of Gallia's shame and our renown?

What though a while the tempest shrouds
 Her summits, and a night of clouds
 Each rock and mountain wears;
 Yet soon returns the sitting breeze,
 And brighter o'er her subject seas
 The Queen of Isles appears.

Let Gallia mourn! th' insulting foe,
 Who sees by all the winds that blow,
 Her treasures wasted to the coast,
 She insolently deem'd was lost.

Yon sun that with meridian ray
 Now gilds the consecrated day,
 When Britain breathes her annual vow
 For him, the guardian of her laws,
 For him, who in her sacred cause
 Bids the red bolt of vengeance glow:

That very sun, when Ganges stream
 Redden'd beneath his rising beam,
 Saw Britain's banners wave
 In Eastern air, with honest pride,
 O'er vanquish'd forts, which Gallia tried,
 But tried in vain to save.

That very sun, e'er evening dew
 Has dimm'd his radiant orb, will view
 Where Lucia's mountains tow'r on high,
 And seem to prop the western sky,
 That oft contested island own
 Allegiance to the British throne.

Like

Like her own oak, the forest's king,
 Tho' Britain feels the blows around;
 Ev'n from the steel's inflictive sting
 New force she gains, new scyons spring,
 And flourish from the wound.

E L E G Y to Miss DASHWOOD.

By Mr. HAMMOND.

This Elegy has not yet found a place in his works. In Doddsley's Collection there is an Answer to it; which, though generally ascribed to Lord Hervey, was more probably written by Lady Mary Wortley Montague.

O Say, thou dear possessor of my breast,
 Where's now my boasted liberty and rest!
 Where the gay moments which I once have known!
 O, where that heart I fondly thought my own!
 From place to place I solitary roam,
 Abroad uneasy, nor content at home.
 I scorn the beauties common eyes adore;
 The more I view them, feel thy worth the more;
 Unmov'd I hear them speak, or see them fair,
 And only think on thee, who art not there.
 In vain would books their formal succour lend,
 Nor wit nor wisdom can relieve their friend;
 Wit can't deceive the pain I now endure,
 And wisdom shews the ill without the cure.
 When from thy sight I waste the tedious day,
 A thousand schemes I form, and things to say;
 But when thy presence gives the time I seek,
 My heart's so full, I wish, but cannot speak.
 And could I speak with eloquence and ease,
 Till now not studious of the art to please,
 Could I, at woman who so oft exclaim,
 Expose (nor blush) thy triumph and my shame,
 Abjure those maxims I so lately priz'd,
 And court that sex I foolishly despis'd,
 Own thou hast soften'd my obdurate mind,
 And thou reveng'd the wrongs of womankind;
 Lost were my words, and fruitless all my pain,
 In vain to tell thee, all I write in vain;
 My humble sighs shall only reach thy ears,
 And all my eloquence shall be my tears.
 And now (for more I never must pretend)
 Hear me not as thy lover, but thy friend;

Thousands

Thousands will fain thy little heart ensnare,
 For without danger none like thee are fair;
 But wisely choose who best deserves thy flame,
 So shall the choice itself become thy fame;
 Nor yet despise, though void of winning art,
 The plain and honest courtship of the heart:
 The skilful tongue in love's persuasive lore,
 Though less it feels, will please and flatter more,
 And, meanly learned in that guilty trade,
 Can long abuse a fond, unthinking maid.
 And since their lips, so knowing to deceive,
 Thy unexperient'd youth might soon believe;
 And since their tears, in false submission drest,
 Might thaw the icy coldness of thy breast;
 O! shut thine eyes to such deceitful woe:
 Caught by the beauty of thy outward show,
 Like me they do not love, whate'er they seem,
 Like me—with passion founded on esteem.

*Verfis to the Memory of Mr. BOSCAWEN, a Son of the late Admiral,
 who was unfortunately drowned, as he was bathing in a Pond belonging
 to Sir Charles Price of Jamaica.*

Written near his Grave by Dr. WOLCOT.

FORLORN, from shade to shade I rove,
 By friendship's sacred spirit led,
 Where horror wraps the twilight grove,
 That glooming seems to mourn the dead.

Dear youth! tho' hence I wander far,
 Thy fate will cloud each rising morn;
 And lo! with evening's dewy star,
 My tears shall bathe thy distant urn.

Remembrance often, with a sigh,
 Shall view the spot where many a maid,
 And many a swain, with swimming eye,
 The tender rite of sorrow paid.

Remembrance often shall impart
 The smile of bliss on Albion's brow,
 When kindling in thy youthful heart,
 She saw the beam of valour glow.

Yes—Albion's genius with amaze
 Did oft thy warrior looks devour;
 Proud to behold thy eagle gaze,
 High fix'd on glory's star-clad tower!

How

How few the sighs of Virtue mourn!
 For few, alas! the friends she knows—
 Yet, here she moves a Pilgrim lorn,
 To bid her son in peace repose.

With Sculpture, let the Marble groan,
 Where Flattery mocks the lifeless ear—
 How nobler far thy nameless stone,
 Embalm'd by Pity's simple tear!

*On her Majesty's rebuilding the Lodgings of the Black Prince, and Henry V.
 at Queen's College, Oxford.*

By Mr. TICKELL. (Not printed in his Works.)

WHERE bold and graceful soars, secure of fame,
 The pile, now worthy great Philippa's name,
 Mark that old ruin, Gothic and uncouth,
 Where the Black Edward pass'd his beardless youth;
 And the Fifth Henry, for his first renown,
 Out-stripp'd each rival, in a student's gown.

In that coarse age, were Princes fond to dwell
 With meagre monks, and haunt the silent cell:
 Sent from the Monarch's to the Muse's court,
 Their meals were frugal, and their sleeps were short;
 To couch at curfew-time they thought no scorn,
 And froze at matins every winter-morn;
 They read, an early book, the starry frame,
 And lisp'd each constellation by its name;
 Art, after art, still dawning to their view,
 And their mind opening, as their stature grew.

Yet, whose ripe manhood spread our fame so far,
 Sages in peace, and demi-gods in war!
 Who, stern in fight, made echoing Cressi ring,
 And, mild in conquest, serv'd his captive King?
 Who gain'd, at Agincourt, the victor's bays,
 Nor took himself, but gave good Heaven the praise?
 Thy nurselings, ancient dome! to virtue form'd;
 To mercy listening, whilst in fields they storm'd;
 Fierce to the fierce; and warm th' oppress'd to save;
 Through life rever'd, and worship'd in the grave.

In tenfold pride their mouldering roofs shall shine,
 The stately work of bounteous Caroline;
 And blest Philippa, with unenvious eyes,
 From Heaven behold her rival's fabric rise.
 If still, bright saint, this spot deserves thy care,
 Incline thee to th' ambitious Muse's prayer:

O, could'st

O, could'st thou win young William's bloom to grace
 His mother's walls, and fill thy Edward's place,
 How would that genius, whose propitious wings
 Have here twice hover'd o'er the sons of Kings,
 Descend triumphant to his ancient seat,
 And take in charge a third Plantagenet!

JUPITER and MERCURY; a Fable. *Written some Time after
 Dr. GOLDSMITH's Poem of Retaliation.*

By DAVID GARRICK, Esq.

HERE, Hermes, says Jove, who with nectar was mellow,
 Go fetch me some clay, I'll make an odd fellow;
 Right and wrong shall be jumbled, much gold and some dross;
 Without cause be he pleas'd, without cause be he cross.
 Be sure, as I work, to throw-in contradictions;
 A great love of truth, yet a mind turn'd to fictions:
 Now mix these ingredients, which, warm'd in the baking,
 Turn to learning and gaming, religion and raking.
 With the love of a wench, let his writings be chaste;
 Tip his tongue with strange matter, his pen with fine taste:
 That the Rake and the Poet o'er all may prevail,
 Set fire to the head, and set fire to the tail;
 For the joy of each sex, on the world I'll bestow it,
 This scholar, rake, christian, dupe, gamester, and poet;
 Though a mixture so odd, he shall merit great fame,
 And, amongst other mortals, be Goldsmith his name!
 When on earth this strange meteor no more shall appear,
 You, Hermes, shall fetch him—to make us sport here.

LINES occasioned by the intended Demolition of FRIAR BACON's Study
 in Oxford.

ROGER! if with thy magic glasses
 Running, thou see'st below what passes,
 As when on earth thou didst descry
 With them the wonders of the sky—
 Look down on yon devoted walls!
 Oh! save them—ere thy Study falls!
 Or to thy votaries quick impart
 The secret of thy mystic art:
 Teach us, ere Learning's quite forsaken,
 To honour thee, and—*save our Bacon!*

VERSES

VERSES *by* HENRY FOX, *Esq. afterwards Lord HOLLAND, to a Lady, with an artificial Rose.*

FAIR copy of the fairest flower,
 Thy colours equal Nature's power;
 Thou hast the Rose's blushing hue,
 Art full as pleasing to the view:
 Go, then, to Chloe's lovely breast,
 Whose sweetness can give all the rest.
 But if at first thy artful make
 Her hasty judgment should mistake,
 And she grow peevish at the cheat,
 Urge 'twas an innocent deceit,
 And safely too thou may'st aver,
 The first I ever us'd to her.
 Then bid her mark, that, as to view,
 The Rose has nothing more than you;
 That so, if to the eye alone
 Her wondrous beauty she made known;
 That, if she never will dispense
 A trial to some sweeter sense;
 Nature no longer we prefer,
 Her very picture equals her.
 Then whisper gently in her ear,
 Say, softly, if the blushing fair
 Should to such good advice incline,
 How much I wish that trial mine.

The FIRST of NOVEMBER; or, the WINTER'S WALK.

By Dr. JOHNSON.

BEHOLD, my Fair, where'er we rove,
 What dreary prospects round us rise!
 The naked hill, the leafless grove,
 The hoary ground, the frowning skies!

Nor only through the wasted plain,
 Stern Winter, is thy force confess'd;
 Still wider spreads thy horrid reign;
 I feel thy pow'r usurp my breast.

Enliv'ning Hope and fond Desire
 Resign the heart to Spleen and Care;
 Scarce frightened Love maintains her fire,
 And Rapture saddens to despair.

In groundless hope, and causeless fear,
 Unhappy man! behold thy doom
 Still changing with the changeful year,
 The slave of sun-shine and of gloom.

Tir'd with vain joys and false alarms,
 With mental and corporeal strife,
 Snatch me, my Stella, to thy arms,
 And screen me from the ills of life.

Extract from a MONODY to the Memory of Mr. GARRICK; by Mr. SHERIDAN. Spoken at Drury-Lane Theatre.

A MID the arts which seek ingenuous fame,
 Our toil attempts the most precarious claim!
 To him, whose mimic pencil wins the prize,
 Obedient Fame immortal wreaths supplies:
 Whate'er of wonder Reynolds now may raise,
 Raphael still boasts cotemporary praise:
 Each dazzling light, and gaudier bloom subdu'd,
 With undiminish'd awe his works are view'd:
 E'en Beauty's portrait wears a softer prime,
 Touch'd by the tender hand of mellowing Time.

The patient Sculptor owns an humbler part,
 A ruder toil, and more mechanic art;
 Content with slow and timorous stroke to trace
 The lingering line, and mould the tardy grace:
 But once atchieved—tho' barbarous wreck o'erthrow
 The sacred Fane, and lay its glories low,
 Yet shall the sculptur'd Ruin rise to-day,
 Grac'd by defect, and worship'd in decay;
 Th' enduring record bears the artist's name,
 Demands his honours, and asserts his fame.

Superior hopes the poet's bosom fire—
 O proud distinction of the sacred lyre!—
 Wide as th' inspiring Phoebus darts his ray,
 Diffusive splendor gilds his votary's lay.
 Whether the song heroic woes rehearse,
 With epic grandeur, and the pomp of verse;
 Or, fondly gay, with unambitious guile
 Attempt no prize but favouring Beauty's smile;
 Or bear dejected to the lonely grove
 The soft despair of unprevailing love,—
 Whate'er the theme—thro' every age and clime
 Congenial passions meet th' according rhyme;
 The pride of glory—Pity's sigh sincere—
 Youth's earliest blush—and Beauty's virgin tear.

Such

Such is *their* meed—their honours thus secure,
 Whose arts yield objects, and whose works endure.
 The *Astor* only, shrinks from times award;
 Feeble tradition is *His* Memory's guard;
 By whose faint breath his merits must abide,
 Unvouch'd by proof—to substance unallied!
 Ev'n matchless Garrick's art, to Heav'n resign'd,
 No fix'd effect, no model leaves behind!

The *Grace of Ailou*—the adapted *Mien*
 Faithful as Nature to the varied scene;
 Th' *expressive Glance*—whose subtle comment draws
 Entranc'd attention, and a mute applause;
Gesture that marks, with force and feeling fraught,
 A sense in silence, and a will in thought;
Harmonious Speech, whose pure and liquid tone
 Gives verse a music, scarce confess'd its own;
 As light from gems assumes a brighter ray,
 And cloathed with orient hues, transcends the day!—
Passion's wild break—and *Frown* that awes the sense,
 And every *Charm* of gentler *Eloquence*—
 All perishable!—like the electric fire
 But strike the frame—and as they strike expire;
 Incense too pure a bodied flame to bear,
 It's fragrance charms the sense, and blends with air.

We are obliged to the Writer of the Elegy on the Marchioness of Tavistock*, for the following original Pieces.

D I T T Y.

The Measure adapted to an old mournful Tune.

WHILST the children of fortune with int'rested praise,
 To the joys in possession still tune their fond lays;—
 The son of affliction, unbrib'd, will deplore
 Those joys, and those charms, which now are no more.
 For the sweetest of maids was my Betty;—
 And the joy of all hearts was my Betty.

Her looks were more pleasing than the bloom of sweet May,
 And her eyes were the sun that enlighten'd my day;
 Her accents could torture, or passion beguile;
 But who'll sing the rapture that hung on her smile?
 For, &c.

* See Ann. Reg. for 1768. vol. XI. Poetical Article, p. 248.

178 ANNUAL REGISTER, 1779.

All nature around me is joyful and gay,—
The trees shoot their buds, and the flow'rs deck their May;
No void in creation's bright space is descried,
Save that, which the life of my soul once supplied.
For, &c.

But the sunshine of life now for ever is flown;
Unpitied my grief, and unblest is my moan;
In sorrow, and darkness, I pass the long day,
Whilst anguish new tunes the sad voice of each lay.
For, &c.

Thus, discolour'd, and jaundic'd, all objects appear;
He hates joy in others, who's lost all that's dear.
Like the shades of the hapless, I seek the still night,
And haunt in the gloom each past scene of delight.
For the sweetest of maids was my Betty;
And the joy of all hearts was my Betty.

I M P R O M P T U.

BEYOND all climates, far above all skies,
The soul that once inform'd my Silvia flies:
May guardian angels still point out its way,
Through all the regions of eternal day;
May heavenly love still bless that tender mind,
Which ever was with love and truth combin'd.
And that her joys unmix'd with care may flow,
Conceal, kind heaven, from her my heart-felt woe.

E X P O S T U L A T I O N.

POOR, throbbing heart! a while refrain!
I sink beneath thy woe;
O! grant a short recess from pain,
For short the space we go.
No fortune can our fate relieve,
So wretched is our strife;
For you can only live to grieve,
And grief cuts me from life.

Account

Account of Books for 1779.

Prefaces, *Biographical and Critical, to the Works of the English Poets*; by Samuel Johnson, 4 vol. 12mo.

THE many and essential benefits, that English literature hath already derived from the labours of Doctor Samuel Johnson, have long been subjects of general observation and experience. The merit of having given precision and stability to our language belongs almost exclusively to him. Like virtue, it is a merit that will be its own reward. In guarding our tongue against the innovations of time, he has provided the best security for his own fame, and, as it were, connected his reputation with the very existence of our language. It remained, to form the judgment and taste of the nation on the same solid basis, on which he had established its vocabulary. This task he has performed with his usual ability in the work now before us; in which he hath undertaken to write criticisms on that class of our writers, which affords the most conspicuous, as well as the most numerous instances of beauties and of faults of every sort.

Criticism has been very justly considered as the last fruit of literary

experience. An early acquaintance with authors of established reputation, a frequent intercourse with the men of genius of our own times, and a competent share of natural abilities, are sufficient to form those habits of discrimination, which enable, what is usually called *a man of taste*, to pronounce with great accuracy on the merits of literary productions. On the other hand, the philosopher, by maxims drawn from the nature of things, the structure of the human mind, and the operation of the passions, may arrive at an equal degree of certainty in tracing out the effects of art, and laying down rules for producing them. But the business of criticism does not end here. To trace the gradual progress and improvement of our taste, and point out the causes that have tended to retard or promote it; to comprehend as it were in one view the whole circle of the arts and sciences, to see their mutual connections and dependencies, and to investigate the effects which at various times they have produced on each other, are objects of *general criticism*, important in themselves, and which require an intimate knowledge of the several subjects on which they depend. In *occasional*

final criticism, extensive experience is still more essentially necessary.—In art, as in morality, great excellence is always nearly allied to some kindred fault. The beauties and defects of composition are not only connected with, but frequently arise out of each other. The absurd conceits and extravagant fancies, which disgust or shock the reader in the juvenile poems of our best poets, were the true seeds and germs, which afterwards ripened, by proper culture, into the most luxuriant harvests. But this chymical process, if we may be allowed the expression, of genius, in which, still preserving some analogy to its pristine form, it is transmuted into a substance of a more valuable kind, is not easily to be pursued, except by those, whose own experience hath admitted them into the secrets of the art. Such an adept we may fairly suppose our learned critic to be. Our readers have had sufficient proofs of it, in the extracts we have already inserted. The following characters of Waller and Dryden are in the same masterly style.

“As much of Waller’s reputation was owed to the softness and smoothness of his numbers; it is proper to consider those minute particulars to which a versifier must attend.

“He certainly very much excelled in smoothness most of the writers who were living when his poetry commenced. The poets of Elizabeth had attained an art of modulation, which was afterwards neglected or forgotten. Fairfax was acknowledged by him as his model; and he might have studied with advantage the poem of Davies, which, though merely philo-

sophical, yet seldom leaves the ear ungratified.

“But he was rather smooth than strong; of *the full resounding line*, which Pope attributes to Dryden, he has given very few examples. The critical decision has given the praise of strength to Denham, and of sweetness to Waller.

“His excellence of versification has some abatement. He uses the expletive *do* very frequently; and though he lived to see it almost universally ejected, was not more careful to avoid it in his last compositions than in his first. Praise had given him confidence; and finding the world satisfied, he satisfied himself.

“His rhymes are sometimes weak words: *so* is found to make the rhyme twice in ten lines, and occurs often as a rhyme through his book.

“His double rhymes in heroick verse have been censured by Mrs. Phillip, who was his rival in the translation of Corneille’s *Pompey*; and more faults might be found, were not the enquiry below attention.

“He sometimes uses the obsolete termination of verbs, as *waxeth*, *afflicteth*; and sometimes retains the final syllable of the preterite, as *amazed*, *supposed*; of which I know not whether it is not to the detriment of our language that we have totally rejected them.

“Of triplets he is sparing; but he did not wholly forbear them: of an Alexandrine he has given no example.

“The general character of his poetry is elegance and gaiety. He is never pathetic, and very rarely sublime. He seems neither to have had a mind much elevated by nature,

ture, nor amplified by learning. His thoughts are such as a liberal conversation and large acquaintance with life would easily supply. They had however, then perhaps, that grace of novelty, which they are now often supposed to want by those who, having already found them in later books, do not know or enquire who produced them first. This treatment is unjust. Let not the original author lose by his imitators.

"Praise however should be due before it is given. The author of Waller's Life ascribes to him the first practice, of what Erythræus and some late critics call *Alliteration*, of using in the same verse many words beginning with the same letter. But this knack, whatever be its value, was so frequent among our early writers, that Gascoign, a writer of the sixteenth century, warns the young poet against affecting it; and Shakespeare in the *Midsummer Night's Dream* is supposed to ridicule it.

"He borrows too many of his sentiments and illustrations from the old Mythology, for which it is vain to plead the example of the ancient poets: the deities which they introduced so frequently, were considered as realities, so far as to be received by the imagination, whatever sober reason might even then determine. But of these images time has tarnished the splendor. A fiction, not only detected but despised, can never afford a solid basis to any position, though sometimes it may furnish a transient allusion, or slight illustration. No modern monarch can be much excited by hearing that, as Hercules had had his *club*, he has his *uazy*.

"But of the praise of Waller, though much may be taken away, much will remain; for it cannot be denied that he added something to our elegance of diction, and something to our propriety of thought; and to him may be applied what Tasso said, with equal spirit and justice, of himself and Guarini, when, having perused the *Pastor Fido*, he cried out, "If he had not read *Amita*, he had not excelled it."

From the Preface to Milton's works, we have already given our readers a large extract. The poet who follows next in the series, is the celebrated author of *Hudibras*. The original idea of this poem is, he thinks, undoubtedly to be found in the history of Don Quixotte. "Cervantes, he observes, shews a man who having by the incessant perusal of incredible tales, subjected his understanding to his imagination, and familiarised his mind by pertinacious meditation to think of incredible events, and scenes of impossible existence, goes out in the pride of knighthood to redress wrongs and defend virgins, to rescue captive princesses and tumble usurpers from their thrones; attended by a squire, whose cunning, too low for the suspicion of a generous mind, enables him often to cheat his master.

"The hero of Butler, is a Presbyterian justice, who in the confidence of legal authority, and the rage of zealous ignorance, ranges the country to repress superstition, and correct abuses, accompanied by an Independent clerk, disputatious and obstinate, with whom he often debates, but never conquers him,

"Cervantes had so much kindness for Don Quixotte, that, however he embarrasses him with absurd distresses, he gives him so much sense and virtue as may preserve our esteem; wherever he is, or whatever he does, he is made by matchless dexterity commonly ridiculous, but never contemptible.

"But for poor Hudibras, his poet had no tenderness; he chuses not that any pity should be shewn, or respect paid him; he gives him up at once to laughter and contempt, without any quality that can dignify or protect.

"In forming the character of Hudibras, and describing his person and habiliments, the author seems to labour with a tumultuous confusion of dissimilar ideas. He had read the history of the mock knight-errant; he knew the notions and manner of a Presbyterian magistrate, and tried to unite the absurdities of both, however distant, in one personage.—Thus he gave him that pedantic ostentation of knowledge which has no relation to chivalry; and loads him with martial encumbrances that can add nothing to his civil dignity. He sends him out a *colonelling*, and yet never brings him within sight of war."

Dryden follows Butler, and our learned critic has paid him the ample and liberal attention he so well deserves. It is not easy to make selections from an author, who writes with so much judgment as Dr. Johnson, without doing great injustice to the parts. The two following extracts, which contain his opinion on the prose and poetical language of Dryden, are

written with great spirit, learning, and penetration.

"Criticism, either didactic or defensive, occupies almost all his prose, except those pages which he has devoted to his patrons; but none of his prefaces were ever thought tedious. They have not the formality of a settled style, in which the first half of the sentence betrays the other. The clauses are never balanced, nor the periods modelled; every word seems to drop by chance, though it falls into its proper place. Nothing is cold or languid; the whole is airy, animated, and vigorous; what is little, is gay; what is great, is splendid. He may be thought to mention himself too frequently; but while he forces himself upon our esteem, we cannot refuse him to stand high in his own. Every thing is excused by the play of images and the spriteliness of expression. Though all is easy, nothing is feeble; though all seems careless, there is nothing harsh; and though, since his earlier works, more than a century has passed, they have nothing yet uncouth or obsolete.

"He who writes much, will not easily escape a manner, such a recurrence of particular modes as may be easily noted. Dryden is always *another and the same*, he does not exhibit a second time the same elegancies in the same form, nor appears to have any art other than that of expressing with clearness what he thinks with vigour. His style could not easily be imitated, either seriously or ludicrously, for being always equable and always varied, it has no prominent or discriminating characters. The beauty
who

who is totally free from disproportion of parts and features cannot be ridiculed by an overcharged resemblance."

From his prose, however, as Dr. Johnson properly remarks, Dryden derives only his accidental and secondary praise; "the veneration, continues he, with which his name is pronounced by every cultivator of English literature, is paid to him as he refined the language, improved the sentiments, and tuned the numbers of English poetry.

"After about half a century of forced thoughts, and rugged metre, some advances towards nature and harmony had been already made by Waller and Denham; they had shewn that long discourses in rhyme grew more pleasing when they were broken into couplets, and that verse consisted not only in the number but the arrangement of syllables.

"But though they did much, who can deny that they left much to do? Their works were not many, nor were their minds of very ample comprehension. More examples of more modes of composition were necessary for the establishment of regularity, and the introduction of propriety in word and thought.

"Every language of a learned nation necessarily divides itself into dialect scholastic and popular, grave and familiar, elegant and gross; and from a nice distinction of these different parts, arises a great part of the beauty of style. But if we except a few minds, the favourites of nature, to whom their own original rectitude was in the place of rules, this delicacy of selection was little known to our authors; our

speech lay before them in a heap of confusion, and every man took for every purpose what chance might offer him.

"There was therefore before the time of Dryden no poetical diction, no system of words at once refined from the grossness of domestic use, and free from the harshness of terms appropriated to particular arts. Words too familiar, or too remote, defeat the purpose of a poet. From those sounds which we hear on small or on coarse occasions, we do not easily receive strong impressions, or delightful images, and words to which we are nearly strangers, whenever they occur, draw that attention on themselves which they should convey to things.

"Those happy combinations of words which distinguish poetry from prose, had been rarely attempted; we had few elegancies or flowers of speech, the roses had not yet been plucked from the bramble, or different colours had not been joined to enliven one another.

"It may be doubted whether Waller and Denham could have overborn the prejudices which had long prevailed, and which even then were sheltered by the protection of Cowley. The new versification, as it was called, may be considered as owing its establishment to Dryden; from whose time it is apparent that English poetry has had no tendency to relapse to its former savageness."

The minor poets that follow Dryden, from Derham down to Hughes, occupy each a small but well-proportioned share of the author's attention. The distinguishing features and the characteristic

teristic faults and merits of each, are always marked with great judgment and precision.

Before we dismiss this article, it will be necessary to take some notice of the historical part of these prefaces. — The great reputation which Doctor Johnson has already acquired as a moral and biographical writer, will not suffer any diminution from his present successful attempt to give (as he himself well expresses it) *useful pleasure*. — Great care appears to have been taken in selecting the most authentic materials: the errors, into which partiality, prejudice, or want of discernment, have led any of his predecessors, are judiciously corrected; and every part is interspersed with those beautiful effusions of moral sentiment, and remarks on the manners of mankind, which distinguish him beyond any writer in the English language. — But whilst we do him justice in this respect, it is impossible not to ob-

serve that many parts of his work bear strong marks of those political prejudices, under the influence of which it is well known his mind unfortunately labours. It is for his own sake we wish that he had, on the present occasion, repressed an useless zeal. We should be sorry to think, with him, that *virulence and malevolence* really belong to any party: — he has taught us that they certainly do not belong to one alone. — *If faction*, (i. e. the party we oppose) *seldom*, as he says, *leaves a man honest, however it might find him*, how will the jealous dignity of Doctor Johnson's character brook the suspicions of, perhaps, the greater part of his readers? The bad men of both sides, who have an interest in the destruction of all character, will be glad to make use of his authority; and he cannot complain if those of the adverse party bring his own example as one proof of his rule*.

A His-

* The part which Milton took in the public transactions of the times, he lived in, seems to have made him particularly obnoxious to our learned critic. We shall therefore submit to our readers some of the misrepresentations of which he is accused, together with the answers that have been given to them. "*I am ashamed*, says Dr. Johnson, *to relate what I am afraid is too true, that Milton was the last student in either university that suffered the public indignity of corporal punishment*." — The only evidence of Milton's having suffered this indignity rests on the following lines, taken from his verses to Decadati.

Nec duri libet usque minas perferre magistri,
Ceteraque ingenio non subeunda meo—

The *something else*, he contends, must be corporal correction; for he adds, *what was more than threats, was evidently punishment*. To this it is answered, that by rendering *cetera* in the singular number, *something else*; he has made the application particular, which in the original is general. — He has attempted to pervert the sense still farther, by explaining *cetera*, *something more than threats*; — whereas it means in general the many insults, besides threats, to which academical subordination might make him liable. But however this may be, he is certainly not the last student in either university that suffered this indignity. At Oxford, both in the public and private statutes, the injunction of inflicting corporal punishment on boys under sixteen remains in force at this day; and at some colleges, where the foundation scholars are elected

A History of the Military Transactions of the British Nation in India. Vol. II.

THE first volume of this history was published in the year 1763 *, and contains an account of the affairs of India, down to the commencement of the war between the English and French in 1756. To the continuation now before us is prefixed an enquiry into the rise and progress of the English commerce in the province of Bengal.

It appears that the trade of this country was opened to the English, by means of a surgeon named *Boughton*, who, in 1636, was sent from Surat to Agra, to attend a daughter of the Emperor *Shaw Jehan*. His endeavours for the cure of the lady proving successful, the Emperor, besides other favours, granted him the privilege of a free trade throughout his dominions. Having obtained this indulgence, Boughton immediately proceeded to Bengal, where he intended to purchase goods, and to carry them by sea to Surat. He had no sooner arrived in the former of those places, than he was employed to cure a favourite woman belonging to the Nabob of the province; which having effected, the latter prevailed upon him

to remain in the country; giving him at the same time a handsome stipend, and confirming the privilege that had been granted by the Emperor, with a promise to extend it to all others of the English nation who should come to Bengal. Boughton sent an account of his success to the English governor of Surat, by whose advice the company in 1640 sent two ships from England to Bengal, the agents of which being introduced to the Nabob by Boughton, were kindly received, and assisted in their mercantile transactions.

For some years the English carried on their trade in this province without any molestation, but afterwards the government, either disavowing the patents that had been granted to Boughton, or annihilating their operation by the narrow construction which they now put upon them, the settlers were obliged to pay the same duties with other merchants. Nor was this the only infraction of former stipulations that they began to experience. The Nabob henceforth assumed a more arbitrary conduct towards them, and their commerce was frequently interrupted by unusual exertions of despotism.

Against these evils our author observes, that there were only two remedies, namely, war or retreat,

elected very young, it was commonly practised down to the beginning of the present century. In another place he asserts, that "*Milton entirely omitted all prayer, either in his family, or in private.*" With regard to the latter part of the charge, it is answered, that it destroys itself, for solitary prayer could only be known to God and himself.—As to family prayer, it appears to be a calumny drawn from an expression of Toland's, who says, "that in the latter part of his life, he frequented none of the assemblies of any particular sect of Christians, nor made use of their peculiar rites in his family." Bishop Newton has altered this, into *his not using any religious rites in his family*. And from the bishop, as a story never loses in the telling, Dr. Johnson roundly concludes that he *never used prayer in his family*.

* See Ann. Vol. VII. Reg. for 1764.

either of which could not fail of proving detrimental to the company, considering that the Bengal trade, notwithstanding the various restraints imposed by the Nabob, was still very lucrative. For forty years therefore the English company attempted no military resistance.

But the peaceable acquiescence of the English rather increased than diminished the exactions imposed by the governors of the province; besides, that the acts of oppression exercised by those inferior despots were abetted by the Emperor at Delhi. Determined therefore to try the effect of arms, the company in the year 1685, with the approbation of King James II. fitted out two fleets, one of which was ordered to cruise at the bar of Surat, on all vessels belonging to the Mogul's subjects, and the other designed not only to commit hostilities by sea at the mouth of the Ganges, but likewise carried six hundred regular troops, in order to attack the Nabob of Bengal by land.

The conduct of this war was entrusted to Job Charnock, the company's principal agent at Hughley, a man of courage, but void of military experience. He defeated the forces of the Nabob in two different actions; but pitching his camp in an unhealthy part of the province, in the space of three months he lost by sickness three hundred Europeans, which was two thirds of his whole force.

The misfortune attending the army was compensated by the success of the fleet that had been sent out to Surat, which greatly distressed the trade of the Mogul's subjects, and took from them

prizes to the amount of a million sterling money. The clamour raised by the merchants in consequence of this disaster, induced the Emperor to send one of his officers from Delhi, with orders to hear the complaints of the English, and to mitigate the oppressions which they had suffered. Hostilities soon after ceased; and by a treaty signed in August, 1687, it was stipulated that the English should not only be permitted to return to all their factories in the province, but might likewise erect docks and magazines at Ulabarca, a village situated on the western bank, about fifty miles from the mouth of the river.

This treaty was no sooner ratified than the war at Surat broke out afresh, and the Nabob of Bengal not only gave up the English trade to the rapine of his officers, but demanded a very large sum, as an indemnification for the loss which the country had sustained by the late hostilities. In consequence of some unexpected events, however, an accommodation again took place between the contending parties without this requisition being granted; and the company received a patent from the Emperor, allowing them to trade free of customs, on condition of paying annually the sum of three thousand roupees.

In 1696, an insurrection was commenced by the rajahs on the western side of the river Hughley, within whose jurisdiction were situated the principal settlements of the English, French, and Dutch, all which immediately augmenting their respective forces, declared for the Nabob; of whom they at the same time requested permission to put their factories into a state of defence.

fence. The Nabob ordered them in general terms to defend themselves; and they, considering this order as implying a grant of their request, proceeded with all expedition to raise walls and bastions round their factories; of which that of the English was at Calcutta, where they had built their principal magazines. Such was the origin of the three European forts in the province of Bengal, the first that ever were suffered to be erected by foreigners within the Mogul empire.

In 1698, they obtained from Azim-al-Shah, the grandson of Aurengzebe, permission to purchase from the Zemindar or Indian proprietor, the town of Soola-kutty, Calcutta, and Govind-pore, with their districts, the prince reserving an annual fine. About this time, the union of the two companies, by augmenting the stock, increased the trade, and enlarged the views of the direction. The commerce of Bengal more especially became the object of their attention. The subordinate factories of Cossimbuzar, Dacca, and Ballasore, were resettled: the exports and imports were doubled in value and quantity, and the garrison of Calcutta was augmented to 300 men: all which the government of Bengal, contrary to its usual maxims, beheld without repugnance, and even without demanding money as the price of its forbearance and favour. The increasing importance of the colony induced the company, in 1707, to withdraw the settlements in it from their former dependence on Madras, and to declare Calcutta a presidency accountable only to the direction in England.

“ The tranquillity which the

company now enjoyed was in a short time disturbed by the Nabob Jaffier Khan, at this time appointed Governor of Bengal, and who was better enabled to take cognizance of their affairs by having removed the seat of government from Dacca to Muxadavad, in the centre of the province. Mixing policy with oppression, he greatly restrained the freedom of their commerce, without openly violating the privileges which they had obtained from Aurengzebe and Azim-al-Shah. In order to obtain a redress of their grievances, the presidency of Calcutta, in the year 1713, proposed to the company in England the sending an embassy, supported by a valuable present, to the Great Mogul. The expedient was accordingly adopted; and after various delays occasioned by the intrigues of the vizir, they at length obtained the principal objects of their mission. One of those was, that the company should be allowed to purchase thirty-seven towns in Bengal, which would give them a district extending ten miles south of Calcutta along the banks of the river Hughley, the passage of which might be easily commanded by the erection of batteries or redoubts; and what added to the value of the acquisition was, that the revenue of the territory would be sufficient to defray the charge of its protection. The consequences of so advantageous a grant were beheld with indignation by the Nabob Jaffier, who had endeavoured from the beginning to counteract the purpose of the embassy; but not daring openly to dispute the Mogul's orders, he prevailed, by secret intrigues, with the holders of the land, not to part with it to the company

company upon any terms which might be offered. Jaffer however admitted the immunity of the company's trade, which no longer paid any customs in the province.

"In the mean time, the settlement of Calcutta had attracted such a number of inhabitants, as excited the jealousy of the Governor of Hughley, who, pretending that he should be punished for suffering so many of the Mogul's subjects to withdraw themselves from his jurisdiction, threatened to send a cadi, or Mahomedan judge, and officers of the police, to administer justice amongst the natives living under the English flag. The measure would have renewed the same inconveniences, which had forced the English to quit Hughley: it was therefore counteracted by a bribe given to Azim-al-Shah, who forbade the Governor of Hughley from proceeding in his intentions. By this constant attention to money, Azim-al-Shah in three years amassed three millions of pounds sterling, which he carried with him out of the province: but he left behind him his son Furrukshir to get more; who, in 1713, gained the throne, after his father had perished in disputing it with his brothers."

From this time, the English company continued to reap the fruits of their commercial privileges till the year 1756, when, by the rupture between Great Britain and France, and by the intestine divisions in India, it necessarily became involved in all the calamities of war. The military transactions of this period, are related with the same precision and accuracy which distinguished the former volume of this history; and if

in the language and forms of expression there appear frequent marks of haste and inattention, they may readily be pardoned in a work of such extent and labour.

Isaiah; a new Translation, with a preliminary Dissertation, and Notes critical, philological, and explanatory. By Robert Lowth, D. D. F. R. S. S. Lond. and Gotting. Lord Bishop of London. 4to.

THE versions that have hitherto appeared of the prophecies of Isaiah, both in ancient and modern languages, having been made on a mistaken opinion of the nature of those compositions; it is not to be wondered that they have failed in giving a just and expressive resemblance of the original. "It has, I think, says the learned prelate, been universally understood, that the prophecies of Isaiah are written in prose. The style, the thoughts, the images, the expressions, have been allowed to be poetical, and that in the highest degree: but that they are written in verse, in measure, or rhythm, or whatever it is that distinguishes, as poetry, the composition of those books of the Old Testament, which are allowed to be poetical, such as Job, the Psalms, and the Proverbs, from the historical books, as mere prose; this has never been supposed, at least has not been at any time the prevailing opinion. The opinions of the learned concerning Hebrew verse have been various; their ideas of the nature of it vague, obscure, and imperfect; yet still there has been a general persuasion, that some books of the Old Testament are written

written in verse; but that the writings of the prophets are not of that number."

The design of the preliminary dissertation is to refute this erroneous opinion; to shew that there is a manifest conformity between the prophetic style and that of the books supposed to be metrical; a conformity in every known part of the poetical character, which equally discriminates the prophetic and the metrical books, from those acknowledged to be prose. This subject, which the learned author had before treated in his eighteenth and nineteenth Prelections, is here more fully and minutely discussed.

"The first, he says, and most manifest indication of verse in the Hebrew poetical books, presents itself in the acrostick or alphabetical poems, of which there happily remain many examples, and those of various kinds. The nature, or rather the form, of these poems is this: the poem consists of twenty-two lines, or of twenty-two systems of lines, or periods, or stanzas, according to the number of the letters of the Hebrew alphabet; and every line, or every stanza, begins with each letter in its order, as it stands in the alphabet, that is, the first line, or first stanza, begins with aleph, the second with beth, and so on. There are still extant in the books of the Old Testament, twelve * of these poems; reckoning the four first chapters of the Lamentations of Jeremiah as so many distinct poems; three † of them perfectly alphabetical: in

which every line is marked by its initial letter; the other nine less perfectly alphabetical, in which every stanza only is so distinguished."

After examining some remarkable circumstances in these compositions, he concludes, that "both these species of alphabetical poems consist of verses properly so called; of verses regulated by some observation of harmony or cadence; of measure, numbers, or rhythm. For it is not at all probable in the nature of the thing, or from examples of the like kind in other languages, that a portion of mere prose, in which numbers and harmony are totally disregarded, should be laid out according to a scale of division, which carries with it such evident marks of study and labour, of art in the contrivance, and exactness in the execution. And in general, that the rest of the poems of the Hebrews, bearing evidently the same marks and characteristics of composition with the alphabetical poems in other respects, and falling into regular lines, often into regular stanzas, according to the pauses of the sentences, which stanzas and lines have a certain parity or proportion to one another, these likewise consist of verse measured by the ear, and regulated according to some general laws of metre, rhythm, harmony, or cadence."

The attempt to discover the laws of the Hebrew metre, or rhythm, he considers as vain and impossible; but he conceives that there are other circumstances which sufficiently discriminate the parts of the

* Psal. xxv, xxxiv, xxxvii, cxi, cxii, cxix, cxlv. Prov. xxxi. v. 10—31. Lam. i, ii, iii, iv.

† Psal. cxi, cxii. Lam. iii.

turn of the whole sentence, and of the constructive parts; such as noun answering to noun, verb to verb, member to member, negative to negative, interrogative to interrogative.

‘ Praise ye Jehovah, ye of the earth;
Ye sea-monsters, and all deeps:
Fire and hail, snow and vapour, &c.

Psf. cxlviii. 7.

‘ Is such then the fast which I choose?
That a man should afflict his soul for a day?

Is it, that he should bow down his head
like a bulrush;
And spread sackcloth and ashes for his
couch, &c. *Isa. lviii. 5, 6.*

In these instances it is to be observed, that though there are perhaps no two lines corresponding one with another as equivalent or opposite in terms; yet there is a parallelism equally apparent, and almost as striking, which arises from the similar form and equality of the lines, from the correspondence of the members and the construction; the consequence of which is a harmony and rhythm little inferior in effect to that of the two kinds preceding.

“ Of the three different sorts of parallels, as above explained, every one hath its peculiar character and proper effect: and therefore they are differently employed on different occasions. . . . Synonymous parallels have the appearance of art and concinnity, and a studied elegance. They prevail chiefly in shorter poems; in many of the Psalms; in Balaam’s prophecies; frequently in those of Isaiah, which are most of them distinct poems of no great length. The antithetic parallelism gives an acuteness and force to adages and moral sentences; and therefore abounds in Solomon’s proverbs, and elsewhere

is not often to be met with. The poem of Job, being on a large plan, and in a high tragic style, though very exact in the division of the lines, and in the parallelism, and affording many fine examples of the synonymous kind, yet consists chiefly of the constructive. A happy mixture of the several sorts gives an agreeable variety; and they serve mutually to recommend and set off one another.”

He next considers the distinction of Hebrew verses into longer and shorter, founded also on the authority of the alphabetical poems; one third of the whole number being manifestly of the larger sort of verse, the rest of the shorter. He does not attempt exactly to define, by the number of syllables, the limit which separates one sort of verse from the other; all that he affirms is this; that one of the three poems perfectly alphabetical, and therefore infallibly divided into its verses; and three of the nine other alphabetical poems, divided into their verses, after the manner of the perfectly alphabetical, with the greatest degree of probability; that these four poems, being the four first Lamentations of Jeremiah, fall into verses about one third longer, taking them one with another, than those of the other eight alphabetical poems.— Example of these long verses from a poem perfectly alphabetical:

‘ I am the man, that hath seen affliction,
by the rod of his anger:
He hath led me, and made me walk in
darkness, and not in light,’ &c.

Lam. iii. 1—4.

Examples of the same sort of verse, where the limits of the verses are to be collected only from the poetical construction of the sentences:

‘ The

• The law of Jehovah is perfect, restoring the soul :

The testimony of Jehovah is sure, making wise the simple, &c. *Pf. xix. 7.*

• A sound of a multitude in the mountains, as of many people ;

A sound of the tumult of kingdoms, of nations gathered together, *I/a. xiii. 4.*

The learned prelate having established, on the grounds we have already mentioned, his opinion concerning the composition of the prophetic writings, proceeds to point out the very important advantages which are to be derived from this source, both to the translator and interpreter of the scriptures.

Flatness, he observes, and insipidity, will generally be the consequences of a deviation from the native manner of an original, which has a real merit and a peculiar force of its own. To express therefore the form and fashion of the composition becomes as necessary in a translation, as to give the author's sense with fidelity and exactness : but with what success can this be attempted, when the translator himself has an inadequate

or even false idea of the real character of the author, as a writer ; of the general nature and of the peculiar form of the composition ?

He next proves, in a number of examples, that this attention to the peculiar turn and cast of the original, may be of still greater use to the interpreter, by leading him into the meaning of obscure words and phrases, and by suggesting the true reading where the text is corrupted.

With regard to the fidelity of the translation now offered to the public, the excellent author has entered very largely into the principles of criticism, and the method of interpretation, on which he has proceeded. It would be impossible to do justice to this part of his dissertation without transcribing the whole ; we shall therefore content ourselves with saying, that the principal objects of his invaluable observations are, the Masoretic punctuation, the state of the Hebrew text, and the ancient versions of the Old Testament.

* * * *The article from our very respectable correspondent at Liverpool, was, by some accident, mislaid ; but shall be inserted in the next volume.*

